

GODLEWSKI V. ALVEAR, No. 3:24—CV—00344 (JKM)
DEFS.' MOT. TO DISMS.

EXHIBIT “L”

C O U R T O F C O M M O N P L E A S
L A C K A W A N N A C O U N T Y

PHILIP GODLEWSKI,

Plaintiff,

- vs -

CHRIS KELLY, ET AL,

Defendants.

X
X
X
X
X
X
X
X
X
X

No. 21-CV-2195

Original

TRANSCRIPT OF PROCEEDINGS

BEFORE: HONORABLE CARMEN D. MINORA

DATE: February 6, 2023

PLACE: Lackawanna County Courthouse
200 N. Washington Avenue
Scranton, Pennsylvania 18503

A P P E A R A N C E S

For the Plaintiff: TIMOTHY KOLMAN, ESQUIRE

For the Defendant: TIMOTHY HINTON, ESQUIRE

Linda Krehel
Official Court Reporter

CLERK OF COURT
LACKAWANNA COUNTY
2023 FEB 17 P 1:37
MAURI B. KELLY
LACKAWANNA COUNTY

ALL-STATE LEGAL®

EXHIBIT

L

WITNESSES

DIRECT CROSS REDIRECT RECROSS

For the Defendant:

1. Brienna DuBorgel	16	42	
2. Linda V. DuBorgel	67	77	
3. Philip Godlewski	152	80	158
--recalled Philip Godlewski			167
4. Dennis Cheng	169-176	175-188	189

--called on rebuttal

Philip Godlewski: 190

1 PHILIP GODLEWSKI, called as a
2 witness, being duly sworn, testified as
3 follows:
4

5 AS ON CROSS EXAMINATION BY MR. HINTON:

6 Q. Mr. Godlewski, did you have a sexual
7 relationship with Brienna DuBorgel?

8 A. No, I did not.

9 Q. Never did?

10 A. That's-- I retract. Yes, I did.

11 Q. You did?

12 A. Yes.

13 Q. And did you answer discovery in this case
14 falsely in claim that you never did have a
15 relationship-- a sexual relationship with Brienna?

16 A. I'm not sure.

17 Q. Okay. Let's take a look at that. If we can
18 go to Exhibit Z. That's a summary page. If you can go
19 to Exhibit D.

20 THE COURT: Did you say B as in boy?

21 MR. HINTON: No. Z. Exhibit Z.

22 THE COURT: Victor, David?

23 MR. HINTON: Z as in zebra.

24 BY MR. HINTON:

25 Q. Now, on November 18th, Mr. Godlewski, you

1 answered some discovery, some interrogatories by me.
2 And I want to point your attention to number seven.

3 A. Okay.

4 Q. Number seven says: Did you have sex or a
5 sexual relationship with BD-- You know that's Brienna
6 DuBorgel?

7 A. (Nodding in the affirmative.)

8 COURT REPORTER: Yes?

9 BY MR. HINTON:

10 Q. -- at any time? Do you see that question?

11 A. Yes.

12 THE COURT: You can't nod. That's
13 why she interrupted you.

14 MR. GODLEWSKI: I got you. Yeah.

15 THE COURT: Okay.

16 BY MR. HINTON:

17 A. My answer was no.

18 Q. Okay. So you lied there?

19 A. I believe I misunderstood the question
20 because of the context.

21 Q. What's so confusing about that question? Do
22 you not understand the words any time?

23 A. I believe this set of interrogatories was
24 part of another set of interrogatories that I got
25 relatively at the same time. Some of those-- most of

1 the other questions in regards to my relationship with
2 Brie had the fifteen year old. In fact, almost all of
3 your interrogatories had the fifteen year old. This is
4 the only time that you ever asked me directly did I
5 have a sexual relationship with Brie. And I believe I
6 misconstrued what you were asking as when she was
7 fifteen because of all of the prior interrogatories
8 that did mention when she was fifteen.

9 Now, I don't see those questions that I'm
10 referring to in this particular set, but there's been a
11 lot of different sets.

12 Q. You're a smart guy, right?

13 A. (No response given.)

14 Q. Mensa? Aren't you a member of Mensa?

15 A. I'm not a member of Mensa, no.

16 Q. High IQ, though? You've had your IQ tested?

17 MR. KOLMAN: Objection. Irrelevant.

18 BY MR. HINTON:

19 Q. So you were-- the second part of the
20 question is: If yes, when did you have sex or sexual
21 relationship with her and how long did the sexual
22 relationship last? And you answered N/A, not
23 applicable, correct?

24 A. Yes.

25 Q. So didn't that help clear up any confusion

1 you may have had about the question?

2 A. No, it didn't clear up any confusion at all
3 because once I read if yes, I didn't read the rest
4 because the answer was no to number seven.

5 Q. So at no time did you admit in discovery in
6 this case to ever having a sexual relationship with
7 Brienna, is that correct?

8 A. Can you restate that?

9 Q. Did you ever admit in any of your discovery
10 responses that you had a sexual past with Brie?

11 A. I believe in the question that I was asked
12 in one of the interrogatory sets, if the text messages
13 between Brie and I, the most recent text messages, were
14 true. And to that question I answered-- or were
15 accurate or were from me. To that question I answered
16 yes. And the content of the text messages in which I
17 was referring to did reference a recent sexual
18 relationship.

19 Q. Okay. Well, let's get that on paper here.
20 When was your recent sexual relationship
21 with her?

22 THE COURT: When was the admission
23 made or when did the act take place, Tim?

24 MR. HINTON: The only thing he
25 admitted, Your Honor, is that these were his

1 text messages.

2 THE COURT: I'm asking you that. I
3 don't know what date you're asking about,
4 when he made an admission or when he
5 actually had it.

6 MR. HINTON: When did he begin a
7 sexual relationship with Brie.

8 BY MR. HINTON:

9 A. I would say 2013, 2014, 15, somewhere in
10 that--

11 Q. All right. So you're still on probation at
12 that time from corrupting her at that time and you're
13 having sex with her at that time?

14 A. No.

15 Q. You were on probation for two years, weren't
16 you?

17 A. I know. You're putting me on the spot, and
18 I can't remember when our relationship was.

19 Q. So let's get this straight. So you admitted
20 in Court--

21 A. I'm sorry. I could correct the record if I
22 may. It was almost certainly from 2015 to 2016. And I
23 remember that because of the time that I started my
24 real estate company was the same year.

25 Q. Okay. So you started the agency with George

1 Plisko, correct, 2015?

2 A. Correct.

3 Q. And at that time you began a sexual
4 relationship with Brie?

5 A. Yes.

6 Q. All right. So you corrupted her--

7 MR. KOLMAN: Objection.

8 BY MR. HINTON:

9 Q. --2009 and 10, correct?

10 THE COURT: Factually accurate
11 question. Overruled.

12 BY MR. HINTON:

13 Q. You corrupted her in 2009 and 2010?

14 A. I pled guilty to corruption of minors, yes.

15 Q. Of her, though, not some unspecified victim?

16 It was Brienna, right?

17 A. The one that was in the complaint, yes.

18 Q. She's the victim?

19 A. Of course.

20 Q. You corrupted her?

21 A. Yes.

22 Q. And you served probation for two years and
23 then you began a sexual relationship with the person
24 you corrupted earlier?

25 A. Correct.

1 Q. Do you see anything wrong with that?

2 A. No.

3 Can I elaborate?

4 Q. No.

5 A. I didn't think you'd want me to.

6 Q. So-- And you're married at the time that
7 you're now in a sexual relationship with her?

8 A. We were kind of on the outs of our marriage.
9 We weren't separated, but we were having severe
10 problems in our marriage.

11 Q. She filed for divorce in March of 2021?

12 A. Yes.

13 Q. She never filed before then? Dori I'm
14 talking about.

15 A. Almost, but no.

16 Q. But no. All right.

17 So let's go through the time line here.

18 MR. HINTON: Your Honor, it's
19 Exhibit AA, if you want to follow along in
20 your notebook. I think it will speed things
21 up.

22 BY MR. HINTON:

23 Q. Mr. Godlewski, I served interrogatories upon
24 you on July 9th of 2021, over a year and a half ago.
25 And in the one interrogatory I asked: Do you have any

1 letters, e-mails, or text messages to or from the
2 fifteen year old girl? Do you see that?

3 A. Yes.

4 Q. And you answered none?

5 A. Correct.

6 Q. Is that correct?

7 A. Yes.

8 Q. Now, as it turns out, Brie has given us five
9 hundred pages of text messages with you and her in just
10 2021 and 2022, is that correct?

11 A. Yes.

12 Q. And you've now admitted that those are your
13 true and accurate communications with Brie, is that
14 correct?

15 A. That's correct.

16 Q. Okay. So you didn't admit to having those
17 when you answered my discovery, is that correct?

18 THE COURT: Where are you in this
19 chart? You're losing me.

20 MR. HINTON: I'm right under
21 September 20th when he responded.

22 THE COURT: Oh, okay. Now I got it.

23 MR. HINTON: Okay?

24 THE COURT: Okay.

25 MR. HINTON: Rather than saving

1 paper I didn't want to restate the
2 interrogatory and the response because
3 they're both included.

4 THE COURT: That's all right.

5 BY MR. HINTON:

6 Q. You answered none, is that correct, to
7 number 33?

8 A. Yes.

9 Q. Is that a deliberately false answer?

10 A. No.

11 Q. It's wrong--

12 A. It's not a false answer at all.

13 Q. Oh, so you're taking it literally, you-- you
14 thought I just meant a random fifteen year old girl?
15 Is that what you're saying to the Court?

16 A. No.

17 Q. You knew I was talking about Brie in that
18 interrogatory, right?

19 A. Yes.

20 Q. And where are the five hundred text messages
21 that you had with Brie? Didn't you have those on your
22 phone?

23 A. You asked--

24 Q. Five hundred pages.

25 A. You just asked me if I took the question

1 literally, which is what everyone does when they're
2 asked a question in a legal manner. I took the
3 question very literally. And what the question says--
4 I can read it back to you: Do you have any letters,
5 e-mails, or text messages to or from the fifteen year
6 old girl?

7 Q. Right.

8 A. I had none of those with the fifteen year
9 old girl. The fifteen year old girl references an age.
10 I had no contact or messages from the time that Miss
11 DuBorgel was fifteen years old. In fact, you asked
12 that several times throughout that same interrogatory,
13 which was what I was asked.

14 Q. And you didn't understand I was using
15 fifteen year old girl to protect her privacy?

16 A. No, because in other areas of the
17 interrogatories you used BD. That protects her
18 privacy.

19 Q. Well, we went to BD. It's just a double
20 down in--

21 A. Mr. Hinton, I'm sorry to interrupt you, but
22 just-- looks like here two weeks later you used BD.
23 And prior to the first set of interrogatories you also
24 used BD.

25 Q. But you didn't fess up to any communications

1 with BD either, did you?

2 A. Yes, I did.

3 Q. Where?

4 A. In Exhibit AA. From December--

5 Q. These--

6 A. I'm answering your question.

7 Q. Go ahead.

8 A. From December 8th, 2022 do you admit that
9 the documents attached here to Exhibit A, Scranton
10 Times 1021 to Scranton Times 1508, are copies of
11 electronic messages communications you had with BD?

12 Answer: Yes.

13 Q. Well, that's after-- Let's go--

14 A. That's not what you asked me.

15 Q. Let's back date, Mr. Godlewski.

16 A. Okay.

17 Q. Okay. So let's-- So I asked you on
18 September 9th do you have any text messages to or from
19 the fifteen year old girl, your answer was none?

20 A. That was a year prior.

21 Q. Right. Then also on that date, September
22 20th, I asked you if you had any documents. This is in
23 a request for production. I'm requesting any documents
24 to include tele-communicative documents sent to or from
25 the fifteen year old girl referred to in the article,

1 and your answer was none, right?

2 A. Correct.

3 Q. You didn't identify all the text messages
4 that have now been produced to the Court, is that
5 correct?

6 A. (No answer given.)

7 Q. The five hundred pages of text messages?

8 A. That's correct, but I wasn't asked to.

9 Q. Let's go further.

10 Then I asked you on June 24th, I asked you
11 in a request for production of documents set forth--
12 produce any text messages between Phil Godlewski and
13 Brienna DuBogel, BD. That BD is only for our purposes.
14 In the actual request I spelled her name out, correct,
15 for you, for your purposes?

16 A. I don't recall, but I knew who you were
17 speaking of, yes.

18 Q. Okay. From 2008 to the present date.
19 Present date being the Summer of 2022?

20 A. Yes.

21 Q. Your answer was I do not have any?

22 A. That's correct.

23 Q. And you stand by that?

24 A. Yes.

25 Q. Okay. And then you're served with

1 interrogatories. Exhibit M. And I asked you: Have
2 you communicated with BD about this lawsuit or your
3 damages from the article, and your answer was yes?

4 A. Correct.

5 Q. Correct. And I say if yes, please state the
6 dates of such communications, the form of such
7 communications, and the substance of such
8 communications. Do you see that?

9 A. Yes.

10 Q. And your answer was on July-- or on November
11 9th, 2022, answer, does not recall the specific date of
12 communications-- communication. Plaintiff spoke with
13 BD in person. You don't mention text messages, right?
14 You just say in person?

15 A. Yes.

16 Q. You spoke to her in person regarding the
17 filing and warned that it was eminent. That's your
18 lawsuit against the Scranton Times, right?

19 A. Yes.

20 Q. You filed that in May of 2021, right?

21 A. Yes.

22 Q. You had about a thousand text messages with
23 her after you filed the lawsuit, right?

24 A. Yes.

25 Q. Okay. You didn't say to me in answering

1 this discovery anything about your thousand text
2 messages with her, did you?

3 A. No.

4 Q. Did you do that to deceive me?

5 A. No.

6 Q. Why did you do that? Why didn't you tell me
7 about them?

8 A. You didn't ask me. You said-- I don't know
9 why that's funny.

10 Q. A text message isn't a communication?

11 A. You asked me--

12 MR. KOLMAN: I'm going to ask
13 counsel to withdraw from being close to the
14 witness.

15 BY MR. HINTON:

16 A. Can I continue?

17 MR. HINTON: No problem, Your Honor.

18 BY MR. HINTON:

19 Q. Yes.

20 A. In number seven, the interrogatory that
21 you're talking about, your question was-- your demand
22 or request was to produce any text messages between
23 myself and Brie. I'm not-- I was not able to produce
24 those text messages.

25 Q. Why?

1 A. Because I didn't have them.

2 Q. Where were they?

3 A. They were deleted.

4 Q. Okay.

5 A. I can't produce something that's deleted.

6 You're welcome to subpoena whoever you need to try to
7 get the copies.

8 Q. Was that your typical thing, to delete text
9 messages with Brie after you had them?

10 A. Not just with Brie, but with numerous
11 people, yes. I have thousands of text messages in my
12 phone that slow it down. As well as e-mail and other
13 forms of communication.

14 Mr. Hinton, I was simply responding to what
15 you requested me to do. I was in no way trying to be
16 deceitful whatsoever. I take a little bit of offense
17 to the fact that you said that I took your question
18 literally. I don't know how else you would expect me
19 to take it.

20 MR. HINTON: Your Honor, I'm going
21 to go to Exhibit NN.

22 BY MR. HINTON:

23 Q. Can you go to that, Mr. Godlewski?

24 A. In the big book?

25 Q. Yeah. Thank you.

1 A. Okay.

2 Q. Mr. Godlewski, I'm directing your attention
3 to Plaintiff's response to Defendant's interrogatory
4 set five. And these were sent to me on December 8th,
5 2022. And the second to the last page, is that your
6 verification page to your answers to interrogatories?

7 A. Set five?

8 Q. Yes.

9 A. December 7th, yes.

10 Q. Yes. All right. So let's take a look at
11 your answers to interrogatories for set five. Number
12 one, how long has Plaintiff been using his current cell
13 phone for the number 570-780-4567? And you say I've
14 been using that since September of 2022. Is that
15 right?

16 A. That's correct.

17 Q. True and accurate?

18 A. Yes.

19 Q. Then I say number two: Has Plaintiff
20 deleted any text messages he had with Brienne DuBorgel
21 while using the current cell phone or phone number for
22 that number? Do you see that?

23 A. Yes.

24 Q. And what was your answer?

25 A. No.

1 Q. But now you just told the Court that you do
2 delete your text messages with Brie?

3 A. At that time the cell phone was new.
4 September of 2022, that was the new model. I believe
5 it was model 14 or whatever. That was a new cell
6 phone. The previous text-- When you asked me that
7 question, the answer was accurate. I didn't delete any
8 of them.

9 Q. Okay. So how do you explain how your-- your
10 Telegram post has a text message on it from you?

11 A. I don't know what you're referring to.

12 Q. Let's look at Exhibit BB.

13 A. What was the question?

14 Q. That's a text message that you posted to
15 your Telegram page, is that correct?

16 A. That's incorrect.

17 Q. You didn't post that?

18 A. That's not what I said.

19 Q. Okay. What is that?

20 A. That is a screenshot of a text message.

21 Q. From your phone?

22 A. No. It was taken from my laptop.

23 Q. Okay. Why didn't you produce it to me in
24 discovery?

25 A. Because the text messages were no longer on

1 my phone. That's what you asked for. This is a
2 screenshot from a single-- looks like a single moment,
3 maybe a couple-minute conversation between Brie and I.
4 I have several screenshots like this. You asked me for
5 text messages.

6 Q. I asked you for any electronic
7 communications, Mr. Godlewski.

8 A. This is not an electronic communication.
9 This is a screenshot, which is a JPG file.

10 Q. So--

11 A. I would have been happy to give you any
12 communications I had with Brie recently. I have
13 nothing to hide there. In fact, you have them all
14 anyway.

15 Q. I do. I got them from Brie. I didn't get
16 them from you in discovery like you were supposed to
17 do.

18 A. You didn't ask me for them. You asked me if
19 I had certain messages, which at the time I did not
20 have.

21 THE COURT: Is a JPG file considered
22 analog?

23 MR. GODLEWSKI: Is it considered
24 what?

25 THE COURT: Analog.

1 MR. GODLEWSKI: No.

2 THE COURT: It's digital?

3 MR. GODLEWSKI: It is digital.

4 THE COURT: He asked for digital
5 communications.

6 MR. GODLEWSKI: It's a photo though.
7 It's not a communication.

8 THE COURT: It's a screenshot of a
9 digital communication.

10 MR. GODLEWSKI: Of a communication.

11 THE COURT: A JPG file? It's like a
12 Xerox-- if you were analog, it would be like
13 a Xerox of a letter. You've taken your
14 screenshot-- You've taken your screenshot,
15 and you just made a duplicate of it. So you
16 can transmit it to another party?

17 MR. GODLEWSKI: Yes, that's correct.

18 THE COURT: Yeah. That's all
19 digital.

20 MR. GODLEWSKI: That-- Yes, that's
21 digital. That's correct.

22 I think, Your Honor, where I was
23 most likely misunderstanding the question
24 asked by Mr. Hinton was he asked me for text
25 messages and communications. When I think

1 of the term-- the broader term
2 communications, I think of a sent e-mail or
3 a received e-mail, a sent text message or a
4 received text message. This is one single
5 JPEG file that I had of a much broader
6 conversation. I didn't have any more of the
7 communications between Brie and I. And,
8 furthermore, if I did, I would have been
9 happy to produce them. He's asked for
10 several hundred things through discovery,
11 which I produced all of. Had I had them,
12 there's nothing incriminating there for me
13 in regards to this case. I would have
14 gladly produced them. I just no longer had
15 the communications. Had I thought of a
16 photo in the context that you just
17 described, I would have given him the photo.
18 I don't know-- I guess it's my opinion. But
19 I don't know-- I think this one screenshot
20 of a much larger conversation could be taken
21 quite out of context since it's just one
22 screen grab with ten lines on it out of
23 maybe a hundred or two hundred line--

24 THE COURT: Yeah, but your name is
25 on it so it would have been you that was

1 taken out of context. You chose to make a
2 screenshot of that-- If we-- we think of
3 this in mathematical terms-- Okay? --and
4 your entire message that you're concerned
5 about is a set--

6 MR. GODLEWSKI: Right.

7 THE COURT: --this is a subset of
8 that. Right?

9 MR. GODLEWSKI: Correct.

10 THE COURT: So you've chosen to
11 create this subset?

12 MR. GODLEWSKI: Yes.

13 THE COURT: Okay.

14 MR. GODLEWSKI: Correct. But in
15 response to Mr. Hinton's question, I-- there
16 was nothing there that I deliberately
17 attempted to keep from the Court. I think I
18 was probably-- Now I understand what he's
19 talking about, literal. I was probably
20 taking his questions too literal. And I-- I
21 don't-- it was not something that I
22 purposely, you know, tried to withhold from
23 you. There was nothing content wise that
24 you could see that would have been harmful
25 to my case.

1 BY MR. HINTON:

2 Q. Mr. Godlewski, if you look at these thousand
3 plus text messages, some of these text messages are
4 dated after I served you with discovery asking you for
5 the text messages and before you respond. Like, in
6 twenty, thirty, sixty-day windows you're communicating
7 with Brie while the request for production or
8 interrogatories is pending. You understand that,
9 correct?

10 A. I don't know specifically what dates you're
11 speaking of.

12 Q. Let's drill down on it. So if you look at
13 the first interrogatories I sent you, do you have any
14 text messages--

15 A. Do you have a copy of that?

16 Q. --to or from the fifteen year old girl?
17 That's on July 9th, right? And then I ask you in the
18 request for production of documents for copies of any
19 of those text messages. When did you respond-- When
20 did you respond to--

21 MR. KOLMAN: Objection, Your Honor.

22 Asked and answered. He said--

23 THE COURT: He didn't even finish
24 the question yet. Let him finish the--

25 MR. KOLMAN: Your Honor, if I may,

1 the question deals with a fifteen year old
2 girl. That's something Mr. Godlewski has
3 already testified about.

4 MR. HINTON: I don't believe it.
5 How about that?

6 MR. KOLMAN: It's asked and answered
7 in the sense that--

8 THE COURT: Overruled.

9 MR. KOLMAN: --he already
10 testified--

11 THE COURT: Overruled.

12 MR. KOLMAN: --about texts from--

13 THE COURT: Overruled, overruled,
14 and overruled.

15 BY MR. HINTON:

16 Q. Mr. Godlewski, from the time I served you
17 with the interrogatories and request for production of
18 documents in early July, 2021, until the time of your
19 response on September 20th, there's thirty one pages of
20 text messages here, is that correct, during that time
21 period that it's pending?

22 A. Yes, that's correct.

23 Q. And are you-- Just so we understand your
24 position, you're saying I was inartful in the way I
25 asked for your text messages?

1 A. Inartful?

2 Q. Yeah. I wasn't specific enough?

3 A. I don't think that's a word.

4 Q. I wasn't specific enough?

5 A. Yes.

6 MR. KOLMAN: Objection.

7 BY MR. HINTON:

8 Q. And that's why you withheld the text
9 messages from production and discovery?

10 A. I didn't withhold anything that was asked of
11 me at any time. On your September 20th interrogatory
12 you asked me for messages or communications with a
13 fifteen year old girl. I didn't have any of them. I
14 haven't had them for years. In fact, if anyone has
15 them, it would be the District Attorney's Office.

16 THE COURT: Right above there, in
17 the Plaintiff's discovery time line, it
18 says: These interrogatories are continuing
19 in nature. It's the second box dated July
20 9th and July 12th. These interrogatories
21 are continuing in nature and require you,
22 the Plaintiff, to file supplementary answers
23 pursuant to Rule 4007.4.

24 Did you ever file any supplementals?

25 MR. HINTON: No, Your Honor.

1 MR. GODLEWSKI: I don't believe so.

2 THE COURT: Okay.

3 MR. GODLEWSKI: But, again, Your
4 Honor, I was-- The specific question that
5 Mr. Hinton is asking me about right now
6 referenced twice question 33 and question
7 19, to or from the fifteen year old girl. I
8 was quite literally taking his question as
9 it was asked. I did not have any text
10 message conversations between myself and the
11 fifteen year old girl. Had he said BD or
12 Brie DuBorgel, which he had said numerous
13 times afterwards, I would have answered
14 accordingly. I wouldn't have-- I wouldn't
15 have purposely not answered the question. I
16 asked what was-- I answered what was asked
17 of me quite literally.

18 BY MR. HINTON:

19 Q. Well, let's examine that.

20 A. Okay.

21 Q. Let's go to August 22nd on the time line.

22 MR. KOLMAN: Mr. Hinton, can you
23 move away from my client?

24 MR. HINTON: I need a ledge here,
25 Tim.

1 MR. KOLMAN: Okay. Go ahead.

2 MR. HINTON: Thank you.

3 MR. KOLMAN: Go ahead.

4 BY MR. HINTON:

5 A. Where you at?

6 Q. Go to August 22nd in the time line.

7 THE COURT: About halfway down.

8 BY MR. HINTON:

9 A. I got you.

10 Q. It's asking you to produce any text messages
11 between Phil Godlewski and Brienna DuBorgel from 2008
12 to the present date. Is that right?

13 A. That's correct.

14 Q. Okay. And your answer was does not have
15 any, right?

16 A. Yes.

17 Q. And I'm showing you in the text messages,
18 ST-1483 through ST-1494, eleven pages of text messages
19 you had with her four days before your response?

20 A. That's correct.

21 Q. So--

22 A. I believe. Hold on one second.

23 Q. So four days before you sign a verification
24 saying you don't have any, you had eleven pages of text
25 messages with her four days beforehand?

1 A. The text messages that I had with her four
2 days beforehand that you just-- yes, that did happen.

3 Q. No confusion about a fifteen year old there,
4 right?

5 A. No.

6 Q. You knew I was asking for Brie--

7 MR. KOLMAN: Objection. He didn't
8 finish his answer.

9 BY MR. HINTON:

10 Q. Go ahead, please.

11 A. No, I had no confusion as to what you were
12 asking about. My answer was I did not have any. I had
13 deleted the text messages.

14 The things that Brie and I would speak about
15 often times, especially during this period, were
16 private, somewhat sexual, and somewhat embarrassing in
17 nature, including videos, photos that we sent, not just
18 from me to her, but from her to me, as Mr. Kolman
19 identified earlier. That's not something that I tend
20 to, like, keep around in my phone. So when I'm having
21 those type of conversations with Brie, or with anyone,
22 even with my fiancée now, I delete them afterwards for
23 fear of that someone is going to grab my phone or my
24 phone will be hacked into or something like that.

25 So when I answered the question, had I

1 known-- had I had the foresight to know that you were
2 going to ask that question four days earlier, I would
3 have absolutely saved the text messages. At the time
4 you asked the question, and at the time that I
5 answered the question, my answer was Plaintiff does not
6 have any. I do not have them. They were deleted
7 because of privacy concerns, I guess, on my end and
8 for Brie.

9 Q. But I served you-- As soon as you filed your
10 lawsuit, I served you with a preservation of evidence
11 letter, didn't I?

12 A. Sure, yes.

13 Q. Yeah. Right in the beginning of the
14 lawsuit, preserve all electronic device evidence,
15 didn't I?

16 A. Yes.

17 Q. And you went ahead and you started deleting
18 all your text messages with Brie and your photos with
19 Brie, right, sexual photos?

20 A. Not just those photos, but numerous things I
21 deleted off my phone. I didn't think that anything
22 that I spoke with Brie about, especially of a-- of a--
23 of a nature such as, you know, a private nature was any
24 sort of evidence to this case.

25 My case is about suing the Scranton Times

1 and Chris Kelly for defamation. I had no idea a
2 conversation that I had with Brie has anything-- any
3 sort of evidentiary value to that case.

4 Q. She's the prime witness in your case, isn't
5 she?

6 MR. KOLMAN: Objection.
7 Argumentative.

8 BY MR. HINTON:

9 Q. Isn't your case--

10 THE COURT: Overruled. It's cross
11 examination.

12 BY MR. HINTON:

13 A. What was the question?

14 Q. Your case is principally based on the
15 accusation that the Scranton Times article called you a
16 pedophile, isn't that true?

17 A. Amongst several other things.

18 Q. Well, they called you a QAnon person, right?

19 A. Amongst several other things.

20 Q. Well, you are a QAnon person?

21 A. I don't know what that means. I'm sorry.
22 You'd have to define that.

23 MR. KOLMAN: Objection from people
24 laughing.

25 MR. GODLEWSKI: Yeah. He's very

1 distracting, Mr. Kelly.

2 THE COURT: Why don't we-- If you
3 can't behave, Mr. Kelly, you're going to be
4 asked to leave.

5 MR. KELLY: Understood, Your Honor.
6 I'm sorry.

7 BY MR. HINTON:

8 Q. Well, let's get back to this.

9 Are you telling the Court you didn't
10 understand Brienna DuBorgel was a principal witness in
11 this case?

12 A. No, I did not think she was a principal
13 witness in this case at all.

14 Our case with the Scranton-- my case with
15 Lackawanna County from 2008, 9, 10, whatever the dates
16 were, was settled many years ago. We went through a
17 numerous amount of discovery, subpoena requests, cell
18 phone gathering. They raided my-- not raided, but they
19 went to my place of employment, took my computers from
20 there; my house, took my computer from there.
21 Interviewed several dozen people as I understand it.
22 There were private investigators involved from my
23 criminal defense attorney. This case was settled.
24 This case was over with. I--

25 Q. Well, you pled guilty, right?

1 A. I was--

2 MR. KOLMAN: Objection. If he could
3 finish his answer.

4 THE COURT: He was correcting the
5 word settled.

6 BY MR. HINTON:

7 Q. You pled guilty?

8 A. I pled guilty to one charge out of about a
9 dozen charges.

10 Q. Of corrupting Brie?

11 A. Yes. And the charges were nolle prossed
12 against me for all of the felonies and all of the other
13 charges that the Scranton Times has accused me of--
14 of-- has written being truthful. That's not how it
15 ended up in Court. There was a Court decision on the
16 matter. Ms. DuBorgel had her day in Court. Brie had
17 her day in Court, and she chose to not testify.
18 Therefore, even though all of those things were
19 collected in discovery against me, the District
20 Attorney could not prove their case.

21 Q. Mr.--

22 A. So I don't think Brie has anything to do
23 with this particular trial. You brought her into it,
24 not me.

25 Q. But you understand that in a defamation case

1 truth is a defense?

2 MR. KOLMAN: Objection. Asks for a
3 legal conclusion.

4 THE COURT: Sustained.

5 BY MR. HINTON:

6 Q. I just asked for your understanding. You
7 might be wrong.

8 But do you understand that we're mounting a
9 defense to prove that you did, in fact, have a sexual
10 relationship with--

11 MR. KOLMAN: Objection.

12 BY MR. HINTON:

13 Q. --Brie DuBorgel--

14 MR. KOLMAN: Same objection.

15 BY MR. HINTON:

16 Q. --when she was fifteen?

17 THE COURT: I'm going to tell you
18 something, Tim. I'm trying to keep this
19 civil. I want you to use the courtesy used
20 in the past, which is let him complete his
21 question before you object to it. I can't
22 rule on it if it's a partial question.

23 MR. KOLMAN: All right.

24 BY MR HINTON:

25 Q. I lost my train of thought.

1 A. Me too.

2 THE COURT: Linda, do you want to
3 read it back, please.

4 (Whereupon, the referred-to question
5 was read back by the reporter.)

6 BY MR. HINTON:

7 Q. Yes. Did you hear that question? That
8 we're asserting in this case, this defamation case,
9 that you did, in fact, have a sexual relationship with
10 Brienna DuBorgel when she was fifteen? Do you
11 understand that?

12 MR. KOLMAN: That's my objection,
13 Judge.

14 THE COURT: Overruled.

15 BY MR. HINTON:

16 A. Yes, I understand that's what you're trying
17 to do.

18 Q. And that if we prove that, that you did, in
19 fact, have that relationship, it would be a defense to
20 that portion of your defamation case?

21 MR. KOLMAN: Objection. Legal
22 conclusion.

23 THE COURT: He's just asking if he
24 understood. Overruled.

25 BY MR. HINTON:

1 A. Can you restate?

2 Q. Never mind.

3 Mr.--

4 A. I'm getting confused when--

5 Q. Yeah. Mr. Godlewski, the Telegram post you
6 have here, that coincides with the production from
7 Brienna-- Brienna's phone, which is Exhibit CC. It's
8 the same text message here. Is that correct? If you
9 compare the two, right?

10 THE COURT: Tim, are you simply
11 asking him if PP and CC are the same thing?

12 MR. HINTON: As to one particular
13 text message, yes, Your Honor.

14 THE COURT: Okay.

15 BY MR. HINTON:

16 Q. Can you read the heartstrings text message?

17 A. The heartstrings?

18 Q. Yep.

19 THE COURT: The top one on CC.

20 MR. GODLEWSKI: Oh.

21 BY MR. HINTON:

22 A. So this would be from Brie to me on August
23 18th, two fifty seven p.m. Listen, I already told you,
24 aside from your beef and tugging of the heartstrings
25 argument you have with Chris Kelly, or any prior

1 trouble aside from me, that is irregardless. But I
2 will make sure that no one ever calls you a pedophile
3 again, and our public beef can be squashed, and Linda
4 leaves us the-- Can I say it?

5 Q. Yeah, you can say it.

6 A. -- fuck alone.

7 Q. Yeah. Okay. So that's-- that's from the
8 production, the forensic download of Brie's phones, you
9 understand that, correct?

10 A. Yes.

11 Q. And then there's also a version of that text
12 message in Exhibit BB that's from your perspective, is
13 that correct?

14 A. My perspectives?

15 Q. It came from your laptop or your phone?

16 A. Yeah. That's the same screenshot that we
17 referenced earlier, the JPEG that I posted to the--

18 Q. What's the date of the text message from
19 Brie about heartstrings?

20 A. It's August 18th, 2022, two fifty seven p.m.

21 Q. Okay. Now, you had access to your version
22 of that text message, from your perspective?

23 A. Yes.

24 Q. And I assume you had other text messages
25 with Brie? This wasn't just one isolated text message

1 on your laptop, you had many text messages with her?

2 A. Yes.

3 Q. And you didn't give me any of them?

4 A. I had already explained this.

5 Q. But I-- It's a yes or no. Did you give me
6 any of your text messages in discovery?

7 A. You asked me to produce text messages that
8 I had, and I did not have any at the time you asked
9 me.

10 Q. And then when I asked you to describe your
11 communications with Brie, the only thing you said in
12 answer to my interrogatory was I forewarned her about
13 the lawsuit you were about to file to make sure she was
14 going to be okay with it, is that correct?

15 A. You asked me if I had ever spoke -- Can you
16 show me what you--

17 Q. Yeah. It's right here. On July-- On
18 November 9th, on the time line, I asked you if you've
19 had communications with her, to state the substance of
20 them?

21 A. Yes.

22 Q. Your answer on November 9th was: You spoke
23 to her in person about the filing and warned her that
24 it was eminent, right?

25 A. Yes.

1 Q. You didn't admit to any of these text
2 messages that you had with her?

3 A. I never spoke to Brie about the lawsuit in
4 the text message format. The only time we ever spoke
5 about the lawsuit was in person or, I believe, over the
6 phone.

7 Q. All right. Let's get the pile of text
8 messages out from Brie's phone.

9 A. Is that this here?

10 Q. Yes, please.

11 A. Okay.

12 Q. So the first one I want to point your
13 attention to is on Page 1456.

14 A. I'm sorry, Tim. These are massively out of
15 order. I got 1457, and then it goes to 1022, 1459.

16 Q. Follow along with me. I'll give you a new
17 stack.

18 THE COURT: Did you say 1456, Tim?

19 MR. HINTON: Yes.

20 BY MR. HINTON:

21 Q. So 1456, you sent her a text message on
22 May 28th. There were a lot of text messages that day,
23 right?

24 A. I see one right now. I don't remember what
25 else.

1 Q. We're going to go through them.

2 A. Okay.

3 Q. And you text-- This is your text message to
4 her, right?

5 A. Yes.

6 Q. And you said: But I get the feeling you
7 already know so I'll back off. I'll be here if you
8 want to meet up and check. Do you say that to her?

9 A. Yes.

10 Q. Okay. You had asked her to hang out, right?

11 A. Yes.

12 Q. Let's flip forward here. I don't want to
13 take up too much time of the Court's time.

14 Then on 1459 you text her and you say: I
15 think it might be fair to say that there's a very, very
16 large and very, very unique financial opportunity that
17 exists in front of you. Is that what you wrote to her?

18 A. Yes.

19 Q. And what-- Why did you write her that text
20 message?

21 A. At the time we were-- my team and I were
22 considering starting a-- a new-- a related business to
23 the businesses that I had already started regarding
24 gold and silver. I think you're aware of my PSI and 7K
25 business. We were about to start another one in a

1 similar fashion. And what I learned with the first
2 one, I incorrectly set it up. In the way that MLM's
3 and direct sales companies operate you kind of want to
4 have your most-- you kind of want to have your people
5 at the top of the chain that are going to be most
6 reliable, most trustworthy, most communicative--
7 communicative. You want to put good people up at the
8 top.

9 So when we were starting this new company I
10 wanted to, this time, which I didn't do the first time,
11 I wanted to, this time, make sure that I solidified my
12 downline or upline, as they call it, with the proper
13 people. And I believe the first time that I did this
14 with my first business it wasn't going to go well.

15 Now, this particular business I was trying
16 to get Brie-- I knew she was having financial trouble
17 from our prior conversations. I knew that she had
18 ambitions to go to out of state to maybe do some legal
19 work and stuff like that for her degree that she was
20 trying to obtain. So I thought-- Brie and I always had
21 a very good relationship, always from day one.
22 Anybody that says otherwise is-- is a liar. So as a
23 friend to Brie, and as a long-time acquaintance, as
24 Brie has testified to today, I was trying to put Brie
25 in the top of this company so that she could benefit

1 financially from it once it was launched.

2 Q. To sell silver or gold?

3 A. No. This was not a gold or silver company.
4 This was an IRA, 401k rollover company.

5 Q. Goldco?

6 A. It's not Goldco. It's actually-- Goldco was
7 one of the vendors, but there are several vendors that
8 are part of my GoldQuiz.com lead funnel I guess you
9 would call it.

10 Q. Did you ever make her an offer to get
11 involved in that company?

12 A. I wanted to. She never responded.

13 Q. Okay. All right.

14 A. She didn't-- She didn't seem interested.

15 Q. What--

16 A. I think she may have assumed that I might
17 have been talking about the Scranton Times case when I
18 wasn't. I was trying to help her.

19 Q. Okay. So what was unique about this
20 financial opportunity for her?

21 A. The money.

22 Q. Oh.

23 A. The amount of money associated with it.

24 Q. All right. So go to the next page, 1460.

25 You wrote to her: The type of opportunity that happens

1 to hardly anyone.

2 A. Yes.

3 Q. That was this rollover retirement accounts
4 into gold or silver?

5 A. Can I tell you what I meant by that
6 particular comment?

7 Q. Sure.

8 A. When I say the type of opportunity that
9 happens to hardly anyone, I don't necessarily mean
10 somebody rolling over their 401k or IRA into precious
11 metals. What I meant was me-- in the position that I'm
12 in, as a social media influencer or whatever you guys
13 want to call me, I have a large following. I have ten
14 million, twelve million, fourteen million people that
15 will watch me when I go live on social media.

16 The unique opportunity is that when I launch
17 something in front of that many people, it's a numbers
18 game at that point. If I could get one percent of
19 those people to sign up for the company, that's a lot
20 of people. That's way more than anybody in this room
21 or really anybody-- anyone can potentially get. So
22 Brie being at the top of that company chain, I thought
23 it would help her for the rest of her life, which was
24 important to me considering all we've been through.

25 Q. Go to 1463, please.

1 Mr. Godlewski, on Page 1463 Brie responded
2 on this same day as part of this same conversation:
3 Oh, are you trying to recruit me for the silver thing?
4 And you responded. If you could make the noise that
5 you would-- You said (making a non-transcribable sound)
6 No.

7 A. It's more a (making a non-transcribable
8 sound). Not a (making a non-transcribable sound).

9 Q. Right. But your impression was no, you
10 dummy?

11 A. Yeah.

12 Q. Yeah. "I'm not trying to recruit you for
13 silver."?

14 A. Correct, yeah.

15 Q. All right.

16 A. The silver thing I had launched in August of
17 21. It was launched way prior to this conversation.
18 So Brie-- I would have had no opportunity to circumvent
19 the people that were already enrolled in 7k Metals or
20 Phil's Silver through Phil's Silver with Brie. Once
21 you're enrolled, you're enrolled. You can't go up the
22 upline, you have to go down the downline. So Brie
23 getting enrolled then made no sense. Getting enrolled
24 in GoldQuiz though, that did make sense.

25 Q. Mr. Godlewski, you then responded, after you

1 said no, you said: We really need to meet and chat.
2 Is that correct?

3 A. Yes.

4 Q. And then on the next page you said: I can't
5 talk about this through text or over the phone. Is
6 that correct?

7 A. Yes.

8 Q. Why couldn't you talk about getting involved
9 in your 401k businesses by phone or text?

10 A. I was advised not to. I have several
11 attorneys that represent me for FTC and SEC compliance
12 guidelines. When you do advertise this type of thing
13 on social media, and you do have a lot of people
14 listening to you, it's very, very easy to misstep out
15 of place and violate one of their-- one of their rules
16 or regulations.

17 So in recruiting for this team that I was
18 doing, which was part of this conversation, I wanted to
19 make sure that I abided by their wishes.

20 MR. KOLMAN: Your Honor, I have an
21 objection. I just don't see how this is
22 related to the issues before the Court in
23 terms of discovery.

24 MR. HINTON: Your Honor, I'm almost
25 done with this chain. It goes to intent,

1 too, by the way, Your Honor.

2 MR. KOLMAN: My client didn't have
3 these documents, you know, before they were
4 produced. And I'm not sure-- I mean, I
5 think Mr. Hinton is about to tell us why
6 he's asking these kind of questions. I
7 think it's far afield.

8 THE COURT: I don't. Overruled.

9 BY MR. HINTON:

10 Q. Mr. Godlewski, go to 1468, please. The top
11 message to Brie, again on May 28th, can you read that
12 message?

13 A. It's May 28th, 2022. Okay. Period. Well,
14 that makes me feel better. When you're ready I have an
15 opportunity that involves the both of us, but it
16 won't-- it won't work with just one of us. I don't
17 know which way to go with it until I speak to you so
18 remember me when you feel better and we'll talk.

19 Q. Then your bottom text messages reads: But
20 it's a very delicate situation and unless it's handled
21 properly by both of us we stand to benefit absolutely
22 nothing. And there is a financial windfall here if
23 handled properly. That's all I can say through text.
24 I don't trust those motherfuckers, and I'm literally
25 foaming at the mouth to take them down once and for

1 all.

2 So are you still talking about your IRA
3 business that you've got on the horizon here?

4 A. Yes.

5 Q. Okay. Whose-- Whose the motherfuckers that
6 you don't trust?

7 A. That's a long answer, but I'll try to
8 incorporate it into a small response. I really don't
9 like right now the Federal Government. I think that
10 the IRS, the Federal Reserve, and several other
11 branches of government are highly, highly corrupt. And
12 the fiat dollar of the United States is something that
13 I distrust more than anything in the world right now.

14 And when I referred to those motherfuckers,
15 I am specifically talking about the people that I
16 believe I'm helping to-- to take down by getting
17 people's money through GoldQuiz, which is an IRA, 401k
18 rollover to precious metals. Precious metals, the
19 government can't touch precious metals in the manner of
20 which that I had it set up for Goldco.

21 So I highly, highly distrust government.
22 Not all government, like, you know, Judge Minora or
23 anything like that.

24 THE COURT: I don't take it
25 personally.

1 MR. GODLEWSKI: Thank you.

2 BY MR. HINTON:

3 A. I really don't mean, like, you know, local
4 government like this. In some cases I do. But in this
5 particular conversation-- And I wish I had the
6 opportunity to explain it to Brie in more detail, but I
7 was referring to, in particular, the Federal Reserve.
8 I really think it's best for everyone to take their
9 money that they have in savings and roll it to precious
10 metals if possible for numerous reasons, which will
11 take me an hour to explain.

12 Q. Was it just a coincidence that fifty seconds
13 later you wrote to Brie on the next page, very next
14 text message: "You're a good person, Brie. You don't
15 deserve anything that's happened to you since we met
16 all those years ago. And I think it's time to set the
17 record straight and shove our collective middle fingers
18 directly up their fucking assholes."? Is that what you
19 wrote?

20 A. Yes.

21 Q. So is that the Federal Government, too, or
22 is that the Scranton Times?

23 A. That-- No. None of this was about the
24 Scranton Times. First of all, I apologize for my
25 language. This is how Brie and I had always

1 corresponded with this type-- I know it doesn't, you
2 know, sound like something that you would typically
3 hear.

4 But Brie had been put into, for the last ten
5 years-- Keep in mind I have a very close relationship
6 with Brie. Brie had been put into very, very, very
7 desperate financial constraints for a very long time.
8 Brie was having trouble getting an apartment, keeping
9 an apartment. From what she had told me, her family
10 was of little help to her. Brie had several thousands
11 of dollars in credit card debt. Brie had various loans
12 that I think had been suffocating her for a very long
13 time, not only credit cards and stuff like that, but
14 also student loans. And I really think that what these
15 entities have done to people like Brie and many others
16 are despicable, and I wanted to collectively shove our
17 middle fingers directly up their fucking ass.

18 Q. Going to 1480, you specifically listed the
19 Scranton Times in that text message?

20 A. Which one?

21 Q. Page 1480.

22 A. Yes.

23 Q. You said: Listen, my friend. Things are
24 getting very nasty with the Scranton Times. I think
25 you should know what's going on. I'd like to talk to

1 you in person. Right?

2 A. Yes.

3 Q. You don't want to talk in text or phone?

4 A. No.

5 Q. In person?

6 A. Right.

7 Q. I don't want you to be blind-sided by any of
8 this.

9 Then on the next page you write to her: I
10 have your back, Brie. You're the one suing, not her,
11 but you have her back, right?

12 A. Yes.

13 Q. You should see what they're trying to do to
14 me; it's absolutely awful. Is that right?

15 A. That's right.

16 Q. They're defending themselves in a lawsuit,
17 right?

18 MR. KOLMAN: Objection.

19 MR. HINTON: Withdrawn. Withdrawn.

20 That's fine.

21 BY MR. HINTON:

22 Q. And then she writes you a very long text
23 message--

24 A. Oh.

25 Q. --on August 6th, 2022. I'll read you a

1 portion from the bottom: I'm--

2 THE COURT: The bottom of 1481 or
3 1482?

4 MR. HINTON: 1482. Sorry, Your
5 Honor.

6 THE COURT: Okay.

7 BY MR. HINTON:

8 Q. And I'm about twenty percent from the
9 bottom. I'm legit in school for what I'm in school for
10 to protect myself against this shit and boring, sad,
11 lonely people from Scranton, PA, who have nothing
12 better to do than talk about a guy and a girl having
13 sex literally almost fifteen years ago. I mean, it's
14 fucking pathetic and obnoxious to me now. Phil, if we
15 can come to an amicable agreement so nothing-- that has
16 nothing to do with my schooling or you thinking
17 whatever you-- whatever, or my family or Chris Kelly or
18 any of it, if you and I can come to an amicable
19 agreement that you stop dragging me publically and
20 defending yourself and with defending yourself comes
21 making me look like a fuck-- the fucking asshole, if
22 you can agree to stop letting these bored-ass low-lives
23 get under your skin and get a rise out of you and shut
24 your big opinionated mouth for ten minutes and stop
25 giving people ammo to shoot back at you, I can

1 promise-- I can and promise and I will make sure that
2 when all of this stops that you never have reason to
3 defend yourself ever again because I'll make sure that
4 the Times leaves you alone, leaves me alone, my family
5 alone, and my family and friends leave you the fuck
6 alone. What do you think I've been doing, huh?
7 Listen, your personal shit aside, I don't care, and I
8 don't know-- I don't either, but publically we are
9 still tied and people are still bored and jerking off
10 to our sex life from fifteen years ago, and it's
11 honestly so weird and overbearing and fucking obnoxious
12 to me and I can't hear about it any more. No Amanda,
13 no political tube, no lives, nothing. You and I have
14 come to some kind of terms and all I ever wanted from
15 you is to please stop calling me a liar and making me
16 look like an asshole when it's not true, and all I've
17 ever done is try to protect myself and you by
18 association. How's that? And your response to her on
19 the next page--

20 A. I'm sorry, Tim. I don't have the next page
21 here.

22 Q. Read your response into the record, please,
23 from 1485.

24 A. Let's--

25 Q. Meet?

1 A. You said 1485. I'm sorry. I thought I was
2 on the wrong page.

3 Q. Yeah. The highlighted text message at the
4 top.

5 A. Okay. Let's meet and talk. I think we're
6 mostly on the same page.

7 Q. Okay. And you didn't say to her, in
8 response to her long e-mail, no, we never had sex
9 fifteen years ago? You said we're mostly on the same
10 page, right?

11 A. In that particular text message I did not
12 say that, no. And I-- based on what she wrote, which
13 was-- I've got to be honest with Brie and everybody
14 else. I didn't read that entire text message when it
15 came through. It looks like a lot on this page, but
16 imagine seeing it on the phone. I read it several
17 hours later. And most of what she said in that text
18 message is true, which is exactly what my response was.
19 Most. Not all, but most.

20 Q. You weren't talking about IRA's then, right?
21 You're talking about the Scranton Times?

22 A. Well, first of all, you're taking these text
23 messages out of context because this is four months
24 later from the text messages that I was talking about
25 the IRA's before.

1 Q. You don't have any text message that ever
2 mention IRA's, do you?

3 A. Yes. We just went over them.

4 Q. How about the letters IRA, are they in any
5 of your text messages?

6 A. No. And as I testified to before, my
7 attorneys for that particular company told me not to
8 mention anything in writing or communicatively, however
9 you want to phrase it, in regards to that. That's why
10 I was so coy on disguising what I was talking about.
11 But you're trying to link text messages from August and
12 September to text messages that happened in May. And
13 that's an improper linkage, and you're trying to take
14 things out of context.

15 And, yes, most of what Brie said in that--
16 And by the way, you didn't read eighty percent of it.
17 Most of what she said in that text message is accurate
18 as I said in my response.

19 Q. You-- When you pled guilty to corrupting
20 Brie in 2011, did you do that out of financial
21 reasons?

22 MR. KOLMAN: Objection, Your Honor.
23 We're so far afield. This is discovery, and
24 now he's asking about the plea, I mean, as
25 if it's a deposition. I don't see how this

1 connects to the issues before the Court,
2 which are did he respond properly or did he
3 not, is he lying or is he not.

4 THE COURT: Well, he is looking at
5 his responses when he's asking these
6 questions, isn't he?

7 MR. KOLMAN: Your Honor, I didn't
8 object before. I'm objecting now. I think
9 it's too far afield.

10 THE COURT: You want to respond to
11 the objection? He's asking about his
12 motivation at the time of the guilty plea.

13 MR. HINTON: Your Honor, I'll
14 withdraw it. I'll withdraw it. Let's stick
15 to the text messages.

16 BY MR. HINTON:

17 Q. And so I'm trying to get straight your
18 sexual relationship with Brie. You said it started in
19 2015?

20 A. Ish. Yes. I don't remember the exact date,
21 but that would be the year, ish.

22 Q. And did it carry on for years after that,
23 off and on?

24 A. I wouldn't say years, but it carried on off
25 and on.

1 Q. Okay. And would you agree with me that it
2 would have been important for us as defendants to know
3 that a witness in this case you had a sexual
4 relationship with?

5 A. As I testified to before, I never thought
6 Brie-- as Brie-- I never thought of Brie as a witness.
7 I was suing the Scranton Times and Mr. Kelly for
8 something defamatory that they said. And I stand by
9 that today. Brie had absolutely nothing to do with
10 what they said.

11 Q. They said you had sex with her when she was
12 fifteen?

13 A. That's correct.

14 Q. And--

15 A. Brie didn't make them say that. Brie didn't
16 ask them to say that. Brie didn't ask for any of this.
17 Neither did I. They brought this upon themselves.
18 They called me a pedophile in front of millions and
19 millions of people, one of which is back there today in
20 charge of a hate group that is directing threats
21 towards me all the time. And because of that article--
22 This was dead. This case was dead for ten years.
23 Everybody had moved on. They wrote the article, and it
24 drug it back up. I'm suing them. I'm not suing Brie.
25 You brought Brie here today, and you brought Brie into

1 this, not me.

2 Q. So looking at your text messages again, now,
3 we talked about the financial--

4 A. And it's pathetic that you did that, by the
5 way.

6 Q. I'm sorry?

7 A. Sorry.

8 Q. What did you say?

9 A. I think it's pathetic that you brought Brie
10 into this. It's my own personal opinion, but it's
11 pathetic. She doesn't deserve it, and you know it.

12 THE COURT: Why don't you just
13 answer the questions that are put to you.

14 MR. GODLEWSKI: I'm sorry, Your
15 Honor. I know, it gets me fired up.

16 THE COURT: You can editorialize all
17 you want when you're on the internet.

18 MR. GODLEWSKI: I know. I'm used to
19 it. I gotcha. I apologize to the Court.

20 BY MR. HINTON:

21 Q. Mr. Godlewski, you did hear the witness
22 testify that she called me? She wanted you to stop
23 your nonsense?

24 A. Yes. You didn't tell the full truth about
25 what she said to you though.

1 Q. Tell me. Explain.

2 A. She called you for help. Is that funny?

3 Q. Yeah, it is funny.

4 A. You're going to lie now?

5 Q. She wanted me to know the truth.

6 MR. KOLMAN: Objection.

7 BY MR. HINTON:

8 A. No, she didn't.

9 MR. KOLMAN: Objection to
10 characteristics made by counsel.

11 BY MR. HINTON:

12 A. She called you for help. We'll get into
13 that when it comes to the trial.

14 Q. Mr. Godlewski, you texted Brie, in terms of
15 your sexual past, on March 31st, 2021. This is on
16 Page ST-1061. I had no idea your papa died. I'm so
17 sorry.

18 A. Can you tell me what page? Yes.

19 THE COURT: ST--

20 MR. HINTON: ST-1061, Your Honor.

21 BY MR. HINTON:

22 A. We're going now back to March of 21?

23 Q. Yes.

24 A. Okay.

25 Q. Did I read your text message correct?

1 A. Yes.

2 Q. You had no idea her grandfather died?

3 A. Yes.

4 Q. And you then wrote: I think we had sex in
5 their bed though. Grandparents' bed?

6 A. Yes.

7 Q. And did you have sex in the grandparents'
8 bed?

9 A. No.

10 Q. You just made that up?

11 A. I didn't make it up, but if I could explain.
12 When the case in 2009, 2010 surfaced, I was being
13 accused of so many vulgar, incorrect things. I think
14 at one point the Scranton Times and the District
15 Attorney said that-- One or the other, I don't remember
16 which one, said that we had sexual intercourse in half
17 the houses in Northeastern Pennsylvania, which would
18 amount to about-- I did the math on this way back when.
19 --about fifty thousand houses. So when Brie and I, in
20 years after, which is 2021, in years after the case
21 Brie and I would constantly try to make light of it.
22 It was a very, very bad time in both of our lives for
23 many years, even to this day obviously, and we would
24 always try to joke about it in some way, shape, or
25 form. And what I was attempting to do there is

1 actually a psychological tactic. I mentioned her
2 grandfather, which I never spoke to her about until
3 that text message, and then I realized, oh, shoot,
4 maybe I shouldn't have brought that up in this manner
5 through text. So I tried to make light of the
6 situation, and it was just really, really terrible
7 communication on my part. But I tried to.

8 Q. Well, on Scranton Times 1083 she wrote to
9 you-- This is on March 31st, 2021. We haven't been all
10 up under each other in so long. Right?

11 A. Yes, that's correct.

12 Q. And you responded back very long?

13 A. Yes.

14 Q. Meaning the two of you hadn't slept together
15 in a very long time?

16 A. That's correct.

17 Q. And that's true?

18 A. Yes.

19 Q. Okay. Did you offer Brie any money at any
20 point in time? Did you offer any financial assistance
21 to Brie?

22 A. At any point in time?

23 Q. How about in the last two years?

24 A. Yes, I have.

25 Q. When was that?

1 A. At some point last year Brie was, according
2 to what she told me, struggling to make ends meet with
3 college, and she had a very vigorous schedule in
4 college. She would take a numerous amount of credits
5 per semester, which didn't really leave a lot of time
6 in the day to work. So I believe we discussed, you
7 know, some sort of loan.

8 As I said before, I've always been-- whether
9 it's true or not, I always felt like I was a brother to
10 Brie. And I always felt that it was somehow my
11 responsibility to help her if I could. We've had,
12 obviously, some very well known public episodes with
13 one another. But in the grand scheme of things we
14 always seemed to have each other's backs. So when she
15 requested to me-- or when she informed me that she was
16 having some financial difficulty I was-- I was the
17 first to say that I could help. In fact, I've done
18 that with dozens of people within the same time frame,
19 both family and non family.

20 Q. Have you threatened to sue Brie because of
21 her giving me this Affidavit?

22 A. Yes.

23 Q. And did you threaten to sue--

24 A. Can I retract real quick? I didn't threaten
25 Brie directly, but I did say that I was considering a

1 lawsuit against Brie. But I never went to Brie and
2 said hey, I'm threatening you to-- You know, in the way
3 that you asked it, I just wanted to clarify that.

4 Q. So you never threatened to sue her into
5 oblivion?

6 A. I don't know what context or what you're
7 referring to. If you could show me, I'd be happy to
8 clarify it or comment on it.

9 MR. HINTON: Your Honor, I'm going
10 to pull up a video if that's okay.

11 THE COURT: You're--

12 MR. KOLMAN: I'm going to object
13 because I don't see how this is connected
14 with Mr. Godlewski's response to
15 interrogatories and document requests.

16 THE COURT: Tim, before you go up on
17 video now, he's made an objection.

18 MR. HINTON: Your Honor--

19 THE COURT: How is it related to the
20 discovery issues we're here for?

21 MR. HINTON: So Mr. Godlewski, in
22 our opinion, our position is he's gone from
23 trying to buy her as a witness in this case
24 to now attempting to threaten and intimidate
25 her. And I have him on video doing exactly

1 that. He's not going to sue just Brie.
2 He's going to sue Brie's parents. He's
3 going to sue Brie's grandparents. He's
4 going to sue me. He's going to sue my law
5 firm. He made all of these statements on
6 December 5th, broadcast them to his ten
7 million followers, and he's done nothing.

8 MR. KOLMAN: Your Honor, so what?
9 You know, this has nothing whatever to do
10 with what's before the Court. Just bluster
11 at this point.

12 THE COURT: We're not here to try
13 the case. We're here to try whether--

14 MR. HINTON: Your Honor, this is a
15 travesty.

16 THE COURT: --whether his responses
17 have been adequate. That's the reason why
18 we're here, right?

19 MR. HINTON: Your Honor, she had the
20 courage to come forth and give us five
21 hundred pages of text messages that he hid,
22 that he lied about, that he hid. And now
23 that she's done that--

24 MR. GODLEWSKI: I feel a little
25 uncomfortable, Your Honor. I don't know if

1 that's--

2 THE COURT: Too bad. Deal with it.

3 MR. HINTON: Now that she's done
4 that, we've now gone to threaten, harass,
5 and intimidate. That's where we're at in
6 this case. We've gone from buying her off
7 to threaten and intimidate. And I have the
8 proof.

9 MR. KOLMAN: Your Honor, then I
10 would urge Mr. Hinton to go to the District
11 Attorney or state that it is an intimidation
12 of a witness. But this is not the context.
13 It's irrelevant to what's before the Court.

14 THE COURT: All right. So how does
15 this video, assuming I accept your offer,
16 how does this video advance-- You're saying
17 that the-- all these responses to discovery,
18 which is all we're here for-- You want to
19 try it on the merits, but we're not here for
20 that. We're here for discovery issues. So
21 how does that advance your position? You're
22 saying now that there was a financial
23 incentive, and when that failed it became--

24 MR. HINTON: Intimidation.

25 THE COURT: All right. I get that.

1 How does that fit into the discovery rules?

2 MR. HINTON: I'll leave it.

3 THE COURT: You understand why I'm
4 asking that?

5 MR. HINTON: I do, Your Honor, but
6 this has been a game, you know. You've seen
7 the filings. It took a year to find out
8 that he possess no Harvard Certificate, that
9 he filed no tax returns. That's fine. All
10 I wanted was a response nailing it down. It
11 took discovery, motion to compel, motion for
12 sanctions. Then they violated your order.
13 They were supposed to give them to me within
14 ten days; they didn't do that. They waited
15 forty, fifty days. Mr. Kolman and I-- I got
16 them-- I had to write them for him, what I
17 wanted. I got them, we nailed it down. We
18 didn't nail down one thing, though, and it's
19 his lives. He broadcast to millions of
20 people, and he's hiding his lives. He's
21 basically said to me, you know, all I got--
22 I don't have them. I don't have any lives.
23 He's saying-- You know, despite what he says
24 to his followers, Your Honor-- And if I
25 could play this because this is on point to

1 an issue that's remaining, the live videos.

2 THE COURT: How long?

3 MR. HINTON: Two minutes.

4 THE COURT: Just turn the volume up.

5 MR. HINTON: I will.

6 MR. KOLMAN: Just ask for an offer
7 of proof, Judge.

8 THE COURT: Pardon?

9 MR. KOLMAN: I'm asking for an offer
10 of proof. What is it?

11 THE COURT: I think he just
12 explained it, but I-- What is the offer of
13 proof, Tim? Before you play it, what's the
14 offer?

15 MR. HINTON: He says he has his live
16 videos in a safe, in a digital safe.

17 THE COURT: Do the best you can,
18 Linda.

19 (Whereupon, the following is the
20 video being played and Mr. Godlewski is
21 speaking.)

22 I'm doing this for my children. I
23 guess it's two-fold. I know what's
24 happening. I know what's about to happen.
25 I know where we're going, and I want to

1 document all of it. Every minute of every
2 single time I go live I have all these
3 saved, not only, you know, on a computer or
4 in a cloud somewhere, or on Rumble or
5 YouTube or whatever, but I have every one of
6 my lives that I've ever done in digital
7 files that I keep in my safe so my kids will
8 some day go back and be able to watch
9 whatever ones they want to watch of their
10 dad talking to hundreds of thousands of
11 people telling them of what's to come,
12 educating, teaching, and comforting a lot of
13 people through the process of which I'm
14 doing right now, and I've been doing. And,
15 secondly--

16 (Whereupon, the video ended.)

17 MR. HINTON: So, I mean, he's saying
18 to his millions-- Mr. Godlewski, I asked a
19 simple request. Give me a copy of your live
20 videos. Don't make me go searching the
21 internet trying to find these things, and
22 he's basically done just that. Go to
23 Rumble, see what you can get from Rumble. I
24 don't have any. But he tells his millions I
25 have them all saved digitally in a file.

1 You ordered him to supply me those
2 on November 14th within ten days. He has
3 defied your order. That is a reason we're
4 here, too. Not just hiding the text
5 messages. Give me your live videos.

6 This guy is a Holocaust denier--

7 MR. KOLMAN: Okay. Objection, Your
8 Honor.

9 MR. HINTON: He's got--

10 MR. KOLMAN: Objection.

11 MR. HINTON: He's got videos all
12 over the place.

13 MR. KOLMAN: Objection.

14 MR. HINTON: On multiple platforms.

15 MR. KOLMAN: Your Honor, that was
16 answered. What happened was that his
17 Facebook-- these were on Facebook, and then
18 Facebook deleted his presence, and with it
19 all those files. The only place where those
20 files are is on Rumble. So--

21 THE COURT: He just said they were
22 in a safe, too.

23 MR. KOLMAN: Yeah. And I think he
24 should be asked about that, instead of Mr.
25 Hinton coming to, you know, conclusions

1 which are incorrect and also laughing in the
2 interim, which I think is unprofessional.

3 THE COURT: Well, follow up on this.
4 Let's go.

5 BY MR. HINTON:

6 Q. So where's the safe?"

7 A. I don't know what you're referencing. I'm
8 sorry.

9 Q. You just listened to the video. You said
10 you have a copy of all your videos for your children's
11 sake so they can see all the good you've done. You've
12 got them digitally saved in a safe. Where is the safe?

13 A. The concept of digitally saving something is
14 in direct contrast to physically saving something,
15 first of all. You can't digitally save something
16 physically. So when that's--

17 THE COURT: Sure you can. You can
18 back it up and make it a hard copy and put a
19 hard copy in a safe.

20 MR. GODLEWSKI: Yeah, but--

21 THE COURT: I'm an idiot on
22 computers and--

23 MR. GODLEWSKI: You don't call that
24 digitally, though. That would be physically
25 saving it to a thumb drive or something like

1 that. I'm not able to do that with the
2 platforms that I run. The safe comment,
3 although I probably used it out of context,
4 and I can see how it could be misconstrued,
5 the safe comment went towards an old
6 mechanism that YouTube had in place. I
7 was-- When I was starting my live broadcast
8 the only place that I would do my live
9 broadcast on was Facebook. On the
10 Inauguration of 2021, January 20th Facebook
11 suspended and deleted my account
12 permanently. Every single live that I used
13 to store on Facebook had been deleted. On
14 that day, or in the days following that day,
15 I then transitioned to YouTube. YouTube had
16 an encrypted software feature at the time
17 anyway. I would ask when that video was
18 taken because it's old. That was when I was
19 still on YouTube. In fact, I saw the
20 YouTube logo on it while I was just watching
21 it.

22 YouTube had an encryption software
23 type thing that they called a digital safe.
24 That is literally what they called them.
25 Now, the context that I said it on that

1 video was improper, and I can see how you
2 might have been misled to think that a safe
3 means, you know, a combination safe. That's
4 not what I meant. YouTube had all of my
5 videos from January 20th up to the point
6 that I said that. YouTube deleted my
7 account.

8 BY MR. HINTON:

9 Q. So Facebook deleted your account, YouTube
10 deleted your account?

11 A. That's correct.

12 Q. What about your videos on Telegram?

13 A. All of my videos are on Telegram.

14 Q. Well, you have the ability to remove stuff
15 from your channel, correct? You can make them
16 accessible or not accessible? Aren't you in charge of
17 your channel?

18 A. Sure I am, but I don't know what you mean
19 remove from. I don't know what you--

20 Q. You can delete posts?

21 A. Oh, sure, yes.

22 Q. Okay. And posts might include a video that
23 you do?

24 A. Yes.

25 Q. Okay.

1 A. But that's not what you were asking for in
2 the-- in the interrogatories. You were asking for all
3 my live stream videos. That's specifically what you
4 asked for.

5 All of those live-- Mr. Hinton, I have
6 nothing to hide on my live stream videos. You can have
7 every single one of them that's in my possession. I
8 don't physically have, as Judge Minora said, a copy
9 that I can hand to you. Every one of them, there are
10 fifteen, sixteen, seventeen pages of them on Rumble.
11 They're all public for anyone in this courtroom to
12 view. They're not private by any means.
13 Having a DVD or a CD is an antiquated version to hold
14 that data. We don't do that any more in this realm.

15 Q. Mr. Godlewski, you-- you do shows almost
16 weekly, is that right, videos?

17 A. Yes. More than that, but, yes.

18 Q. And they're viewed by millions of people,
19 right?

20 A. Fourteen million, two hundred and thirty
21 three thousand.

22 Q. Per video?

23 A. On average.

24 Q. Okay. And on one video that I have you--
25 you applauded Adolf Hitler, and you said he wasn't

1 responsible for killing six million Jews--

2 MR. KOLMAN: Objection.

3 BY MR. HINTON:

4 Q. Is that right?

5 MR. KOLMAN: Objection.

6 THE COURT: Sustained. Sustained.

7 We're not getting into content.

8 MR. HINTON: It just goes to the
9 importance of-- You know, I'm just trying to
10 get the evidence, Your Honor. You know,
11 this is like pulling teeth. I just showed
12 you the video of the digital safe, and he's
13 got the Harvard Diploma on the wall that he
14 refused--

15 MR. KOLMAN: Objection.

16 Is this argument, or is he going to
17 ask a question?

18 MR. HINTON: It's just exhausting.
19 Every discovery thing in this case and every
20 excuse--

21 MR. KOLMAN: Objection.

22 MR. HINTON: --this man gives is
23 exhausting.

24 MR. KOLMAN: It's exhausting
25 arguments, Your Honor.

1 MR. GODLEWSKI: It's exhausting
2 because you can't prove that I slept with
3 her because I didn't. That's why you're
4 exhausting yourself. You're going through
5 all these videos--

6 THE COURT: Do you have any question
7 pending for this answer?

8 MR. HINTON: No.

9 THE COURT: Then don't give me
10 your--

11 MR. GODLEWSKI: I'm sorry.

12 THE COURT: You're not on the air
13 here.

14 MR. GODLEWSKI: I know.

15 THE COURT: Okay?

16 MR. GODLEWSKI: He's-- he's baiting
17 me, though, it feels like, you know.

18 THE COURT: When you have a question
19 pending, you answer.

20 MR. GODLEWSKI: I understand, Your
21 Honor. I'm sorry.

22 MR. HINTON: Nothing further, Your
23 Honor.

24 MR. KOLMAN: I just have two
25 questions.

1 DIRECT EXAMINATION BY MR. KOLMAN:

2 Q. Phil, what was your relationship with Brie
3 when she was fifteen or sixteen? And the second
4 question is: Why did you buy the earrings? I don't
5 have anything else.

6 A. Brie went through something that you would
7 never wish any of your sons or daughters to go through,
8 and that was the suicide of her boyfriend. It just so
9 happened at the-- Excuse me. It just so happened at
10 the time that I was coaching junior varsity baseball at
11 my alma mater, Riverside High School, and in coaching
12 those games and practices my team was full of freshman
13 and sophomore-aged men, boys. And in that their
14 friends would typically come to our games and
15 practices. And there was a particular group of friends
16 that Brie belonged to to come see their friends play in
17 the games. And I had learned of the situation with her
18 boyfriend's suicide through my friends, and I had seen
19 her come to the games in the past. And after the
20 suicide happened it was a very large funeral in our
21 town. Taylor is a very small town; everyone kind of
22 knew everybody. I had a relationship with, you know,
23 most of the kids that played on my team, and, you know,
24 and years before they even played on my team.

25 So we all kind of found out about Joe's

1 suicide. I could see Brie was-- Brie just was not in
2 really a great mindset. And some of her friends were
3 actually telling me-- her friends that were on my
4 baseball team were actually telling me that she was
5 suicidal at the time. Now, this is where I made an
6 enormous mistake. And, you know, it's easy to say I
7 regret it now because of everything that I was charged
8 with, but I don't know if I regret it because the
9 relationship that Brie and I developed in the years to
10 follow, I don't know if I would want to trade that. I
11 struggle with that thought.

12 Nonetheless, the mistake that I made was
13 trying to comfort Brie in a time that she was visibly
14 shaken, and she was putting those type of words-- she
15 was articulating those type of words to other people
16 that I associated with and I was around on a regular
17 basis. What I should have done was go to her parents
18 and go to her guidance counselor at the school who--

19 Q. When you say words, articulated words, what
20 words?

21 A. She was verbalizing that she wanted to
22 commit suicide to her friends, which were my players.
23 And that gets around. When you're fifteen, sixteen
24 years old, at that level, you can't help but hear
25 things as a coach, you know. So I just screwed up.

1 You know, I got a little too close to Brie in those
2 years. I believe Brie caught feelings for me at some
3 point when she was of that age. I was engaged to be
4 married, and I was-- I was caught in a situation that I
5 should have never got myself in.

6 Now, there were-- I wish we still had them,
7 but there were a lot of text message conversations that
8 took place between Brie and I in that time,
9 specifically regarding the death of her boyfriend and
10 how she should cope and just me trying to make light of
11 the situation that was a terrible situation for any
12 fifteen or sixteen year old girl to be in. I tried to
13 act, I guess, as some sort of father figure. And I
14 think the reason why I did that is because I never had
15 brothers or sisters growing up. I was never in the
16 position to be a big brother, you know, to any
17 adolescent or to any-- anyone. When I formed the
18 relationship that I formed with my players on the
19 junior varsity team, it was not just a coach
20 relationship-- Like, I had fantasy baseball teams with
21 them, and we would go places together. They really
22 liked me. I took a couple of my kids out of state to
23 baseball conventions.

24 I almost developed a relationship with my
25 players that was similar to a father figure in a sense.

1 So when this was happening with Brie my young mind
2 said, oh, well, I can continue that type of
3 relationship with this girl, who is going through a
4 traumatic event. That was a mistake on my part.
5 And looking back on it now I know that that was a
6 mistake, and I paid for that mistake dearly, and I
7 still do to this day. But that's how the-- that's how
8 the development of the relationship occurred, and I
9 ended up getting arrested for it.

10 Q. And what about the earrings?

11 A. I never purchased Brie any earrings. I've
12 heard this before in accusations from the District
13 Attorney's Office when I was first arrested on this.
14 Somebody-- Can I see them? I don't know. I've never
15 purchased Brie-- I have purchased Brie things before;
16 that is true. But twenty eight thousand dollar
17 earrings, I don't know what--

18 Q. I think they were two thousand, eight
19 hundred.

20 A. Oh, okay. That's much better. But for a
21 twenty four year old, twenty five year old, I didn't
22 have that type of money at the time. I was just
23 starting my real estate career. I was doing side jobs,
24 such as a junior varsity coach, which I made eighteen
25 hundred dollars a year for. That's not something-- I

1 had given Brie gifts as to try to cheer her up in what
2 I thought was an appropriate manner. Looking back at
3 it now it was completely inappropriate. And guess
4 what? I pled guilty to corruption of morals of a
5 minor. And I felt like I did corrupt the morals of a
6 minor, and I still feel like that today.

7 Q. You said you were close to her, too close.
8 What does that mean?

9 A. I think I crossed the line being a figure of
10 authority, especially in the school district that she
11 attended. I think I crossed the line of an appropriate
12 nature and an inappropriate nature. Not in the sense
13 of anything sexual, but in the sense of someone that
14 young that's going through that type of tragedy could
15 latch onto someone of my age in the position that I was
16 in in a way that I'm not anticipating or, even while
17 it's happening, noticing. I shouldn't have put myself
18 in that position.

19 Q. In respect of the discovery, which is being
20 the key focus here, the interrogatories and the
21 document requests, have you attempted to answer those
22 to the best of your ability?

23 A. Mr. Kolman, I am willing to give absolutely
24 anything to the defense that they want without any sort
25 of limitation at all. I have absolutely nothing to

1 hide in this particular case. As Mr. Hinton said
2 before, I'm the one that filed the lawsuit, not them.
3 I knew discovery was going to be nasty. I knew that
4 this was going to bring up all of those events that
5 they brought up, you know, many years ago, not only for
6 me, but also for Brie. I knew they were going to bring
7 her into this. They had a private investigator go to
8 her house several times in 2021 after the case was
9 filed, after my lawsuit was filed. And if anybody has
10 been intimidating anyone, I believe it's been the
11 defendants to Brie.

12 Q. Have you willfully withheld any documents?

13 A. Absolutely not. You could have everything I
14 have.

15 Q. Have you willfully not answered any
16 interrogatory that's been propounded to you?

17 A. Absolutely not. And I won't in the future.

18 Q. Do you have any position that could possibly
19 be relevant to any document request that was asked
20 for?

21 A. Relevant or irrelevant I'm not the one to
22 make that call. I'm willing to give them anything that
23 they need.

24 MR. KOLMAN: I have nothing further,
25 Your Honor.

1 RE CROSS EXAMINATION BY MR. HINTON:

2 Q. Mr. Godlewski, what gifts did you buy Brie?
3 You said you bought her some gifts?

4 A. Yeah. There was-- In that same time period,
5 right after Joe had taken his own life, I went on a
6 baseball trip that I just referenced with one of my
7 team members. His name is BJ. We went to
8 Jacksonville, Florida, I believe it was, for a baseball
9 camp.

10 While we were at a shopping endeavor there--
11 This was in the time that I was communicating with Brie
12 after the death of Joe. In fact, it was that winter.
13 I think Joe-- It doesn't matter, the dates. But,
14 nonetheless, right after that happened I was shopping
15 at a mall down there with BJ. We went out after one of
16 the expositions that day. We got something to eat. It
17 was just me and BJ. No one else went on the trip. And
18 there was an Ed Hardy hat. I think it was a hat,
19 t-shirt, something. Ed Hardy. She was big into Ed
20 Hardy at the time. We had talked about that in our
21 conversations. So I purchased her that. And I think
22 I got her, in addition to that, I think I bought her a
23 tanning package one time to a tanning salon in Taylor,
24 which is no longer there. It's a-- something else
25 now.

1 Q. So Joe Strok died November 10th, 2008. Does
2 that sound right?

3 A. 2000 what?

4 Q. 8.

5 A. Yeah. So it would have been-- I believe it
6 would have been that Winter of 2008.

7 Q. So Brie is fifteen years old and three
8 months at that time?

9 A. No. I believe she-- I have no idea, to be
10 honest. I don't remember. I thought she turned
11 sixteen-- Yeah, I believe she would have been fifteen.
12 She turned sixteen in September the following year.
13 Yes.

14 Q. And you-- You bought her gifts for that
15 Christmas?

16 A. I don't think it was Christmas, no. They
17 were just in general gifts. There was no Christmas
18 gifts per se, to my recollection. There was a gift
19 that I bought when we were at the mall in Florida that
20 was the Ed Hardy-- It might have been a shirt and a
21 hat. Don't quote me.

22 Q. Okay.

23 A. But--

24 Q. But definitely you bought her gifts?

25 A. Those two things or three things are the

1 only things that I had ever purchased for Brie.
2 Earrings are-- Miss DuBorgel, Linda, testified today
3 that she spoke to a sales associate, and she made it
4 seem that the sales associate sold me those earrings.
5 At least in my interpretation. That's false. She may
6 have spoke to a sales associate about the particular
7 type of earrings, and ascertained that Zales sells that
8 particular type of earring, but that had nothing to do
9 with me at all. I don't know where they came from.

10 Q. Mr. Godlewski, there's a notebook of
11 exhibits in front of you. Can you turn to Exhibit H,
12 please.

13 A. Sure. Did you-- What letter?

14 Q. H.

15 A. H.

16 Q. Go to the back of that exhibit. You'll see
17 your verification page for your signature that you've
18 approved these answers to interrogatories on August
19 20th, 2021. Is that your completed verification page
20 digitally?

21 A. Yes, sir.

22 Q. Okay. So you--

23 A. August 20th, 2021?

24 Q. Yeah.

25 A. Yes, sir.

1 Q. You reviewed these answers. You understood
2 that you were making them under oath, right?

3 A. Yes, sir.

4 Q. And you know that it's important to the
5 lawsuit to be truthful and accurate in your answers to
6 the Court, is that correct?

7 A. Yes, sir.

8 Q. It's important to be truthful in the
9 discovery process?

10 A. Yes, sir.

11 Q. It's like perjury if you lie about it,
12 right?

13 A. I'm not sure.

14 Q. So let's go to question number thirty four
15 in your answers to interrogatories.

16 Question: Did you give any gifts to the
17 fifteen year old girl referred to in defendant's
18 article? If yes, please state what they were and when
19 you gave them to her. And your answer was: Plaintiff
20 does not recall giving her any gifts.

21 A. Yes.

22 Q. How is it that your memory is better today
23 in 2023 than it was on August 20th, 2021?

24 A. I wouldn't say that my memory is better. I
25 would just say that this happened, when the gifts that

1 I mentioned were purchased, this happened in 2008, as
2 you just said.

3 Q. No, I didn't just say.

4 A. You didn't just say that in 2008 when Joe
5 Strok--

6 Q. I asked-- I told you Joe Strok died on
7 November 10th, 2008. I asked you if you gave her
8 Christmas presents, and you said it may have been a
9 little bit later than that.

10 A. No, I didn't say that. That's not what I
11 said.

12 Q. Whatever.

13 A. I said I didn't give her Christmas presents.
14 But you're putting words in my mouth. That's not-- We
15 could read it back.

16 Q. Why did you give this answer that you don't
17 recall giving her any gifts?

18 A. I didn't recall giving her any gifts.

19 Q. But now you do?

20 A. I recall now, yeah, sure. You're asking me
21 to remember things from twelve years ago. It's very
22 hard to do that. As I had thought more about the case,
23 and talked to my counsel about the case, I had gone
24 back to try to find anything that I could to, you know,
25 either on a-- to remember or to find documents that you

1 were asking for to these interrogatories. And at some
2 point it had come to my recollection that I do remember
3 purchasing her an Ed Hardy hat or shirt and a tanning
4 package.

5 Q. Now--

6 A. I had to be reminded about that actually.

7 Q. So you had thirty days to answer that
8 interrogatory. I think you took more than thirty days
9 to answer them. And you had the assistance of counsel,
10 is that correct?

11 A. I don't know any of that to be true.

12 Q. All right.

13 So, Mr. Godlewski, going back to your text
14 messages with Brie-- and you indicated that you've
15 moved text messages over to a computer or maybe a hard
16 drive or a laptop at your house?

17 MR. KOLMAN: I'm going to object,
18 Your Honor. This is beyond the scope of my
19 redirect-- of my direct.

20 THE COURT: He asked about earrings
21 and he asked about gifts.

22 MR. HINTON: I'll withdraw it, Your
23 Honor. Nothing further, Your Honor.

24 MR. KOLMAN: I have nothing.

25 THE COURT: Okay.

1 MR. KOLMAN: You can step down. I
2 have nothing.

3 MR. GODLEWSKI: Okay.

4 MR. HINTON: Call Dennis Cheng as
5 our last witness. He'll be short, Your
6 Honor.

7 MR. KOLMAN: Can I have a quick
8 colloquy with counsel?

9 THE COURT: Sure.

10 MR. HINTON: Your Honor, our last
11 witness is on a very narrow subject matter
12 that his Telegram post of the text message,
13 this expert will testify just very briefly
14 about that it had to come from Phil. It's
15 from Phil's perspective. That's really it.

16 THE COURT: Is this the guy that
17 downloaded the content of the phones?

18 MR. HINTON: Yes. But I don't need
19 him for that. He's admitted they're all
20 true and accurate text messages.

21 MR. KOLMAN: It's true.

22 But, Your Honor, what's he going to
23 do? He's going to establish that he's an
24 expert. That's going to take awhile.

25 MR. HINTON: It's actually not.

1 MR. KOLMAN: All right. And it's
2 an opinion.

3 What's the purpose of this at the
4 end of the day? What do you want the Court
5 to know?

6 MR. HINTON: That he had them all
7 along. He had his text messages all along.
8 He didn't give them to us. I had to get
9 them from Brie.

10 MR. KOLMAN: Well, that's obvious
11 you had to--

12 MR. HINTON: He intentionally
13 withheld those.

14 THE COURT: I thought he only
15 downloaded her phone?

16 MR. HINTON: He downloaded her two
17 phones, the phone she currently uses and the
18 one she had immediately before it. She
19 gave-- The five hundred pages of text
20 messages come from the download. Phil has
21 now admitted yes, they're his text messages.
22 That issue is a done deal. We don't even
23 need to get into how he downloaded or that
24 it's-- it was done correctly or whatever
25 because everybody admits yeah, these are the

1 communications.

2 What-- I called this expert for a
3 secondary purpose. I said let's look at
4 this post Phil Godlewski put up on November
5 27th. This one right here. Where did it
6 come from? And he's going to say it didn't
7 come from Brie, it didn't come from her
8 download, it came from Phil, meaning he's
9 had it all along. If they want to now admit
10 yeah, he's had it all along-- And I think
11 Phil will admit that.

12 MR. KOLMAN: Let me talk to my
13 client. Maybe he needs to clarify. Okay?

14 THE COURT: All right. Take a few
15 minutes.

16 MR. HINTON: He's going to agree,
17 that came from one of his devices.

18 MR. KOLMAN: Yeah, it did. It came
19 from his laptop.

20 MR. HINTON: Okay. You can
21 stipulate on the record that it came from
22 one of his electronic devices.

23 MR. KOLMAN: I can stipulate it came
24 from his laptop, sure.

25 MR. HINTON: Okay.

1 MR. KOLMAN: He testified about
2 that.

3 MR. HINTON: All right. I want
4 it clear on the record where that came
5 from.

6 MR. KOLMAN: He's going to come up.

7
8 PHILIP GODLEWSKI, recalled as a
9 witness, having previously been sworn,
10 testified as follows:

11
12 THE COURT: You're still considered
13 under oath.

14 MR. GODLEWSKI: Yes, sir.

15 RECROSS EXAMINATION BY MR. HINTON(CONT'D):

16 Q. Mr. Godlewski, showing you Exhibit BB. You
17 recognize that?

18 A. Yes.

19 Q. Okay. This is a post you made to your
20 Telegram channel?

21 A. Yes.

22 Q. You made it on November 27th, 2022?

23 A. I'm sorry. There's no date.

24 Q. I'll bring an expert up to testify about
25 that.

1 A. Okay.

2 Q. Unless your--

3 A. I don't know the date. You're asking me the
4 date.

5 Q. Was it late November?

6 A. I have absolutely no idea, Tim. You know
7 how many posts I put on Telegram?

8 Q. Was it after we gave you the digital
9 downloads of Brie's text messages that you posted this?

10 A. Oh, yes, it is. Here's why. Because you
11 gave me the digital downloads, and I know that to be
12 fact because it's redacted right there. Her name is
13 redacted. That didn't come from my device at all.
14 That came from your discovery from her phone.

15 Q. This right here did?

16 A. Yes.

17 Q. Okay. Now we need to call the witness.

18 THE COURT: That assures it. Stand
19 down.

20 MR. GODLEWSKI: That's redacted at
21 the top.

22 MR. HINTON: That's okay. No more
23 questions.

24 MR. GODLEWSKI: I could be wrong.

25 MR. HINTON: I'll bring my--

1 THE COURT: You can stand down. You
2 can stand down, Mr. Godlewski.

3 MR. GODLEWSKI: Okay.

4 THE COURT: You're done.

5 MR. HINTON: Dennis, come on up.

6
7 DENNIS CHENG, called as a witness,
8 being duly sworn, testified as follows:

9
10 THE COURT: Have a seat, Dennis.
11 Make yourself comfortable.

12 MR. CHENG: Thank you.

13 THE COURT: Hopefully you won't be
14 here that long, but they've been wrong about
15 that all morning. So go ahead.

16 MR. CHENG: I'm used to waiting.
17 Thank you.

18 DIRECT EXAMINATION ON CREDENTIALS BY MR. HINTON:

19 Q. Mr. Cheng, please state your full name for
20 the record.

21 A. Dennis Gene Cheng.

22 Q. Okay. And you work for Twobytwo Solutions,
23 LLC?

24 A. Yes.

25 Q. What does that company do?

PHILIP GODLEWSKI,	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	OF LACKAWANNA COUNTY
	:	
v.	:	CIVIL DIVISION
	:	
CHRIS KELLY, TIMES SHAMROCK	:	JURY TRIAL DEMANDED
COMMUNICATIONS, THE SCRANTON	:	
TIMES-TRIBUNE, LARRY HOLEVA	:	
Defendants.	:	No.: 2021-CV-2195

PLAINTIFF'S RESPONSE TO DEFENDANT'S INTERROGATORIES SET IV

GENERAL OBJECTIONS

1. Plaintiff generally objects to Defendants' Interrogatories (Set IV) to the extent they are ambiguous, vague, over-broad, and/or unduly burdensome.
2. Plaintiff generally objects to Defendants' Interrogatories (Set IV) to the extent they seek information protected by the attorney-client privilege and/or the attorney work-product doctrine.
3. Plaintiff generally objects to Defendants' Interrogatories (Set IV) to the extent they improperly seek information that is not relevant to any of the issues in this dispute and/or are not reasonably calculated to lead to the discovery of admissible evidence.
4. Plaintiff generally objects to Defendants' Interrogatories (Set IV) as discovery has not yet closed and this matter has not yet been prepared for trial.
5. Accordingly, these Answers are made without prejudice to Plaintiff's right to amend the answers set forth herein and/or to present additional information that is hereafter obtained or evaluated.
6. Plaintiff generally objects to Defendants' Interrogatories (Set IV) to the extent they cause unreasonable annoyance, embarrassment, oppression, burden and/or expense.
7. Plaintiff generally objects to each of Defendants' Interrogatories (Set IV) to the extent that their scope exceeds the scope of discovery permitted by the Pennsylvania Rules of Civil Procedure.
8. Plaintiff generally objects to Defendants' Interrogatories (Set IV) to the extent that formulating full and complete answers would require Plaintiff to review documents not presently in Plaintiff's possession, custody and/or control.
9. Plaintiff generally objects to Defendants' Interrogatories (Set IV) to the extent they imply that information is to be provided by more than one person other than the responding Plaintiff. These Interrogatory Answers have been made to the best of Plaintiff's



5. Did you have sex or a sexual relationship with [REDACTED] at any time?

ANSWER: Yes.

If "yes" when did you have sex or a sexual relationship with her and how long did the sexual relationship last?

ANSWER: Plaintiff had sexual relationship with [REDACTED] for a month or two in 2018. Plaintiff does not recall specifics.

6. Did you have sex or a sexual relationship with [REDACTED] at any time?

ANSWER: No.

If "yes" when did you have sex or a sexual relationship with her and how long did the sexual relationship last?

ANSWER: N/A.

7. Did you have sex or a sexual relationship with Brienna DuBorgel at any time?

ANSWER: No.

If "yes" when did you have sex or a sexual relationship with her and how long did the sexual relationship last?

ANSWER: N/A.

Respectfully submitted:

Date: 11/18/2022

/s/ Timothy M. Kolman

Timothy M. Kolman, Esquire
Kolman Law, P.C.
414 Hulmeville Avenue
Penn del, Pennsylvania 19047
Attorney for Plaintiff

VERIFICATION

I, Philip Godlewski, verify that the statements made in *Plaintiff's Response to Defendants' Interrogatories (Set IV)*, are true and correct to the best of my knowledge and belief. I understand that false statements made herein are subject to the penalties of 18 PA. C.S., Subsection 4904, relating to unsworn falsification to authorities.

Date: 11/18/22



Philip Godlewski – Plaintiff

PHILIP GODLEWSKI,
Plaintiff

v.

CHRIS KELLY, TIMES SHAMROCK
COMMUNICATIONS, THE SCRANTON
TIMES-TRIBUNE, LARRY HOLEVA
Defendants.

IN THE COURT OF COMMON PLEAS
OF LACKAWANNA COUNTY

CIVIL DIVISION

JURY TRIAL DEMANDED

No.: 2021-CV-2195

CERTIFICATE OF SERVICE

I, Timothy M. Kolman, Esquire, certify that on this 18th day of November 2022, I
caused a true and correct copy of the *Plaintiff's Response to Defendant's Interrogatories Set (IV)*
to be served upon the following parties via email:

J. Timothy Hinton, Jr., Esquire
Haggerty Hinton & Cosgrove LLP
1401 Monroe Avenue, Suite 2
Dunmore, Pennsylvania 18509
Attorney for Defendants

Respectfully submitted:

Date: 11/18/2022

/s/ Timothy M. Kolman

Timothy M. Kolman, Esquire
Kolman Law, P.C.
414 Hulmeville Avenue
Pennel, Pennsylvania 19047
Attorney for Plaintiff

From: +15707804567 Phil
To: [REDACTED] Brie DuBorgel (owner)

Okay kid. If you change your mind and want to hang out, let me know. Lots of stuff has been going on and I wanted to try to insulate you as much as possible. But I get the feeling you already know, so I'll back off. I'll be here if you want to meet up and chat

Participant	Delivered	Read	Played
[REDACTED] Brie DuBorgel		5/28/2022 3:42:47 PM(UTC-4)	

Status: Read

5/28/2022 3:42:27 PM(UTC-4)

Source Extraction:
Advanced Logical (2)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0xDE4852 (Table: message, handle, chat; Size: 230879232 bytes)



ST 1456



Cellebrite
www.cellebrite.com

Extraction Report - Apple iPhone

Participants



+15707804567
Phil*



+ [REDACTED]
Brie Duborgel* (owner)

Conversation - Instant Messages (151)

From: + [REDACTED] Brie Duborgel (owner)
To: +15707804567 Phil

It's Brie

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:43:03 PM(UTC-4)		

Status: Sent

5/28/2022 3:43:03 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x237FB1 (Table: message, chat, handle; Size:
29642762 bytes)

From: +15707804567 Phil
To: + [REDACTED] Brie Duborgel (owner)

It?

Participant	Delivered	Read	Played
[REDACTED] Brie Duborgel		5/28/2022 3:43:22 PM(UTC -4)	

Status: Read

5/28/2022 3:43:22 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x237D8D (Table: message, handle, chat; Size:
29642762 bytes)

From: [REDACTED] Brie Duborgel (owner)
To: +15707804567 Phil

I just got the text you just sent me that other phone is garbage I'm only still using it before I transfer all my stuff over

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:43:36 PM(UTC-4)		

Status: Sent

5/28/2022 3:43:38 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x2379B4 (Table: message, chat, handle; Size: 29842752 bytes)

From: +15707804567 Phil
To: +1 [REDACTED] Brie Duborgel (owner)

Death of the 7619 number?

Participant	Delivered	Read	Played
+1 [REDACTED] Brie Duborgel	5/28/2022 3:45:55 PM(UTC-4)		

Status: Read

5/28/2022 3:45:54 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x2378A9 (Table: message, handle, chat; Size: 29842752 bytes)

From: +15707804567 Phil
To: +1 [REDACTED] Brie Duborgel (owner)

What a shame

Participant	Delivered	Read	Played
+1 [REDACTED] Brie Duborgel	5/28/2022 3:49:25 PM(UTC-4)		

Status: Read

5/28/2022 3:49:25 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23769A (Table: message, handle, chat; Size: 29842752 bytes)

From: +1 [REDACTED] Brie Duborgel (owner)
To: +15707804567 Phil

And no nothing really has been going on aside from me doing an internship for basically 8 months and they've tried and done everything to piss me off and make me snap and hack into my shit and see if I can kick them out and just... the most extra thing I've ever experienced. Except one of the main people involved is friends with my uncle Johnny so it's basically why I know I'm okay and I know I'm getting a crazy good job but it's almost not been worth the stress I've been put through

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:49:26 PM(UTC-4)		

Status: Sent

5/28/2022 3:49:26 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x239F8D (Table: message, chat, handle; Size: 29642752 bytes)

From: +1 [REDACTED] Brie Duborgel (owner)
To: +15707804567 Phil

Yes the 7619 number is toast

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:49:42 PM(UTC-4)		

Status: Sent

5/28/2022 3:49:41 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x239998 (Table: message, chat, handle; Size: 29642752 bytes)

From: +15707804567 Phil
To: +1 [REDACTED] Brie Duborgel (owner)

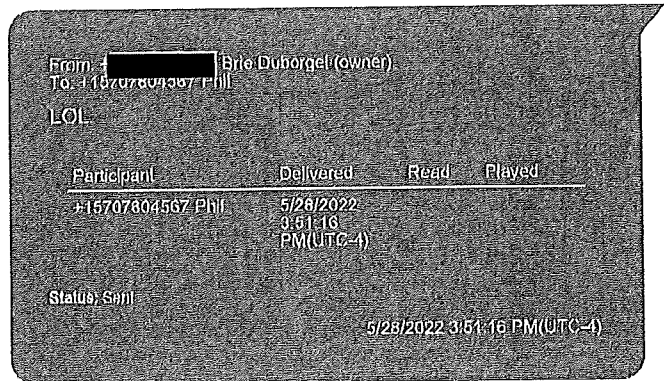
I think it might be fair to say that there is a very, very large, and very, very unique financial opportunity that exists in front of you

Participant	Delivered	Read	Played
+1 [REDACTED] Brie Duborgel		5/28/2022 3:51:03 PM(UTC-4)	

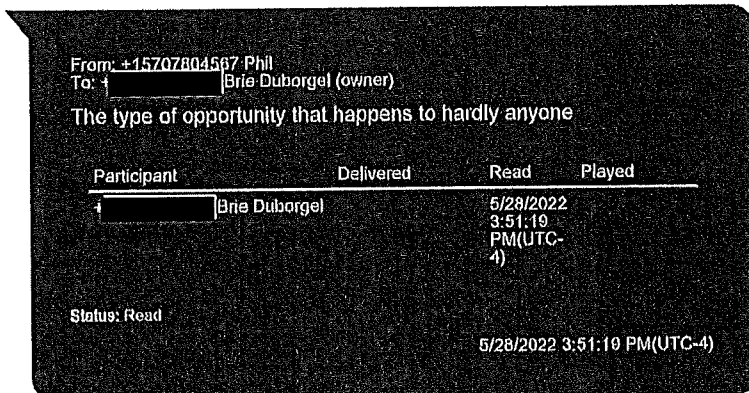
Status: Read

5/28/2022 3:50:58 PM(UTC-4)

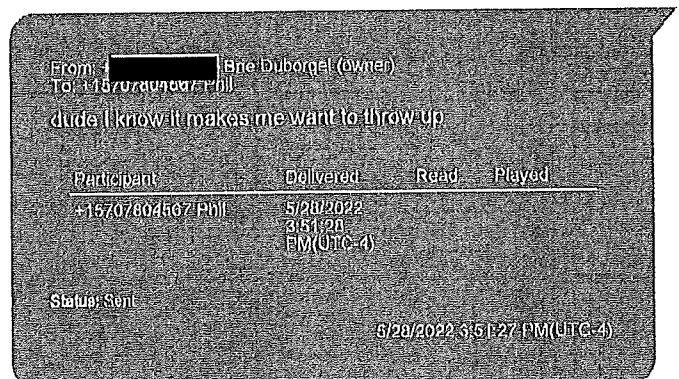
Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x239F83 (Table: message, handle, chat; Size: 29642752 bytes)



Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x239C99 (Table: message, chat, handle; Size: 29642752 bytes)



Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x239A67 (Table: message, handle, chat; Size: 29642752 bytes)



Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23984A (Table: message, chat, handle; Size: 29642752 bytes)

From: +15707804567 Phil
 To: +15707804567 Phil
 Brie Duborgel (owner)

And everyone knows but me

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:51:33 PM(UTC-4)		

Status: Sent

5/28/2022 3:51:33 PM(UTC-4)

Source Extraction:
 Logical (1), Advanced Logical (1)
 Source Info:
 Brie's iPhone/mobile/Library/SMS/sms.db : 0x2395F8 (Table: message, chat, handle; Size: 29642752 bytes)

From: +15707804567 Phil
 To: +15707804567 Phil
 Brie Duborgel (owner)

Mom mom can't look me in the eyes for more than 1.2 seconds

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:51:52 PM(UTC-4)		

Status: Sent

5/28/2022 3:51:52 PM(UTC-4)

Source Extraction:
 Logical (1), Advanced Logical (1)
 Source Info:
 Brie's iPhone/mobile/Library/SMS/sms.db : 0x2393C2 (Table: message, chat, handle; Size: 29642752 bytes)

From: +15707804567 Phil
 To: +15707804567 Phil
 Brie Duborgel (owner)

Why?

Participant	Delivered	Read	Played
Brie Duborgel		5/28/2022 3:52:05 PM(UTC-4)	

Status: Read

5/28/2022 3:52:05 PM(UTC-4)

Source Extraction:
 Logical (1), Advanced Logical (1)
 Source Info:
 Brie's iPhone/mobile/Library/SMS/sms.db : 0x23AFB3 (Table: message, handle, chat; Size: 29642752 bytes)

From: [REDACTED] Brie Duborgel (owner)
To: +15707804567 Phil
Cause everyone knows but me it seems like

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:52:36 PM(UTC-4)		

Status: Sent

5/28/2022 3:52:36 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23AAF5 (Table: message, chat, handle; Size: 29642752 bytes)

From: +15707804567 Phil
To: [REDACTED] Brie Duborgel (owner)

I dont think we're talking about the same thing, Ms. Duborgel

Participant	Delivered	Read	Played
+1 [REDACTED] Brie Duborgel		5/28/2022 3:52:59 PM(UTC-4)	

Status: Read

5/28/2022 3:52:59 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23A895 (Table: message, handle, chat; Size: 29642752 bytes)

From: [REDACTED] Brie Duborgel (owner)
To: +15707804567 Phil

Laughed at "I dont think we're talking about the same thing, Ms. Duborgel"

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:53:16 PM(UTC-4)		

Status: Sent

5/28/2022 3:53:16 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23A59B (Table: message, chat, handle; Size: 29642752 bytes)

From: +15707804567 Phil
To: +15707804567 Phil
Oh are you trying to recruit me for the silver thing

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:53:58 PM(UTC-4)		

Status: Sent

5/28/2022 3:53:58 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23A2F5 (Table: message, chal, handle; Size: 29842752 bytes)

From: +15707804567 Phil
To: +15707804567 Phil
Pfft, no

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:54:07 PM(UTC-4)		

Status: Read

5/28/2022 3:54:07 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23BF83 (Table: message, handle, chat; Size: 29642752 bytes)

From: +15707804567 Phil
To: +15707804567 Phil
We really need to meet and chat

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:54:16 PM(UTC-4)		

Status: Read

5/28/2022 3:54:16 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23BD96 (Table: message, handle, chat; Size: 29842752 bytes)

From: [REDACTED] Brie Duborgel (owner)
To: +15707804567 Phil
Laughed at "Pfft, no"

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:54:16 PM(UTC-4)		

Status: Sent

5/28/2022 3:54:16 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23BB3F (Table: message, chat, handle; Size: 29642752 bytes)

From: +15707804567 Phil
To: [REDACTED] Brie Duborgel (owner)
I cant talk about this through text or over the phone

Participant	Delivered	Read	Played
[REDACTED] Brie Duborgel		5/28/2022 3:54:33 PM(UTC-4)	

Status: Read

5/28/2022 3:54:33 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23B900 (Table: message, handle, chat; Size: 29642752 bytes)

From: [REDACTED] Brie Duborgel (owner)
To: +15707804567 Phil
I can't meet up or see anyone right now I'm going through some stuff physically and basically doing a cleanse of my system and got my period yesterday and I'm barely alive

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:58:07 PM(UTC-4)		

Status: Sent

5/28/2022 3:58:06 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23B8C3 (Table: message, chat, handle; Size: 29642752 bytes)

From: +15707804567 Phil
To: [REDACTED] Brie Duborgel (owner)
doesnt have to be today. "Some stuff physically"? Wif?

Participant	Delivered	Read	Played
[REDACTED] Brie Duborgel		5/28/2022 3:58:36 PM(UTC-4)	

Status: Read

5/28/2022 3:58:36 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23CF83 (Table: message, handle, chat; Size: 29842752 bytes)

From: +15707804567 Phil
To: [REDACTED] Brie Duborgel (owner)
You're dodging me

Participant	Delivered	Read	Played
[REDACTED] Brie Duborgel		5/28/2022 2 3:58:56 PM(UTC-4)	

Status: Read

5/28/2022 3:58:56 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23CA18 (Table: message, handle, chat; Size: 29842752 bytes)

From: [REDACTED] Brie Duborgel (owner)
To: +15707804567 Phil
No I'm not

Participant	Delivered	Read	Played
+15707804567 Phil		5/28/2022 3:59:03 PM(UTC-4)	

Status: Sent

5/28/2022 3:59:03 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23C813 (Table: message, chat, handle; Size: 29842752 bytes)

From: [REDACTED] Brie Duborgel (owner)
To: +15707804567 Phil

No one will ever understand what I just went through this semester

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 3:59:19 PM(UTC-4)		

Status: Sent

5/28/2022 3:59:18 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23C5F7 (Table: message, chat, handle; Size: 29642752 bytes)

From: +15707804567 Phil
To: [REDACTED] Brie Duborgel (owner)

In kinda of worried about you

Participant	Delivered	Read	Played
[REDACTED] Brie Duborgel	5/28/2022 4:00:58 PM(UTC-4)		

Status: Read

5/28/2022 4:00:58 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23C364 (Table: message, handle, chat; Size: 29642752 bytes)

From: [REDACTED] Brie Duborgel (owner)
To: +15707804567 Phil

Why

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 4:01:50 PM(UTC-4)		

Status: Sent

5/28/2022 4:01:50 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23DF8D (Table: message, chat, handle; Size: 29642752 bytes)

From: +15707804567 Phil
To: +15707804567 Brie Duborgel (owner)

Idk, you're talking all crazy-pants. Doesnt seem like the brie I know

Participant	Delivered	Read	Played
+15707804567 Brie Duborgel		5/28/2022 4:02:10 PM(UTC-4)	

Status: Read

5/28/2022 4:02:10 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23DD7B (Table: message, handle, chat; Size: 29842752 bytes)

From: +15707804567 Phil
To: +15707804567 Brie Duborgel (owner)

No I'm very okay I just legit went through 8 months of semi torture and it only ended like two days ago so I'm trying to do the right thing and get my mind and body in order and detox off of medication I've been on since I got sober 6 years ago and it doesn't help all my accounts got hacked and I can't talk to anyone about anything until I have my answers about what exactly I'm going to be doing for work which will be on Tuesday. I'm honestly just exhausted and healing

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 4:07:05 PM(UTC-4)		

Status: Sent

5/28/2022 4:07:05 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23DB17 (Table: message, chat, handle; Size: 29642752 bytes)

From: +15707804567 Phil
To: +15707804567 Brie Duborgel (owner)

Truly

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 4:07:11 PM(UTC-4)		

Status: Sent

5/28/2022 4:07:11 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23D1AD (Table: message, chat, handle; Size: 29642752 bytes)

From: +15707804567 Phil
To: [REDACTED] Brie Duborgel (owner)

Okay. Well that makes me feel better. When you're ready, I have an opportunity that involves the both of us. But it wont work with just one of us. I dont know which way to go with it until I speak to you. So, remember me for when you feel better, and we'll talk.

Participant	Delivered	Read	Played
[REDACTED] Brie Duborgel		5/28/2022 4:08:30 PM(UTC-4)	

Status: Read

5/28/2022 4:08:29 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23EF83 (Table: message, handle, chat; Size: 29842752 bytes)

From: [REDACTED] Brie Duborgel (owner)
To: +15707804567 Phil

I know I've been wanting to talk to you about almost the same thing weirdly enough. I've been the one who has wanted to square things up with you that has nothing to do with romance or Amanda that would save both of our reputations but I didn't plan on talking to you about anything until my school stuff was over. I got my diploma, and my job was written in stone. I'm sure Amanda told you a little bit which is okay cause it wasn't a secret at least not from you we got our lives dragged through the mud for years together and it has effected us both professionally to the point where my internship was based on my ethics and morals but I passed with flying colors and pretty sure I may have gotten an almost full ride to get my MSL in data and privacy law. So yeah I'm okay and I know you've had to defend yourself for years which a lot hasn't had to do with me but I don't like that people make it seem like you were some creep or I was some homewrecking little tramp and I think us having each other's backs in some regards benefits both of us.

Participant	Delivered	Read	Played
+15707804567 Phil		5/28/2022 4:18:58 PM(UTC-4)	

Status: Sent

5/28/2022 4:18:58 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23EB8D (Table: message, chat, handle; Size: 29642752 bytes)

From: +15707804567 Phil
To: [REDACTED] Brie Duborgel (owner)

I agree. But it's a very delicate situation, and unless it's handled properly by both of us, we stand to benefit absolutely nothing. And there is a financial windfall here, if handled properly. That's all I can really say through text. I don't trust those motherfuckers and I am literally foaming at the mouth to take them down once and for all.

Participant	Delivered	Read	Played
[REDACTED] Brie Duborgel		5/28/2022 4:25:30 PM(UTC-4)	

Status: Read

5/28/2022 4:21:24 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23FF83 (Table: message, handle, chat; Size: 29642752 bytes)

From: +15707804567 Phil
To: Brie Duborgel (owner)

You're a good person, Brie. You don't deserve anything that's happened to you since we met all of those years ago. And I think it's time to set the record straight, and shove our collective middle fingers directly up their fucking assholes

Participant	Delivered	Read	Played
Brie Duborgel		5/28/2022 4:25:30 PM(UTC-4)	

Status: Read

5/28/2022 4:22:20 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x23FAD7 (Table: message, handle, chat; Size: 29842752 bytes)

From: Brie Duborgel (owner)
To: +15707804567 Phil

No I know it's like the MOST delicate situation. Aside from any of your extra troubles or my extra troubles what happened between us follows us around the most and nothing between us was ever bad. Even when I heard things about you and Miranda or you being an asshole I mean my first thought was that Phil has never even so much raised his voice at me or said anything nasty to me ever. Through everything and all of it you've never been mean to me. You had to defend yourself cause you had no other choice. I mean I'm gonna be 29 and you're like 37.

I know this sounds crazy but there's examples of cases where let's say the girl was older like 18 or 19 and the boy was 16. That age difference is nothing but if the girl had a very high IQ and the boys was significantly lower than that could be considered statutory because it shows despite the age she was clearly taking advantage. It's the IQ defense. My friends and my mother blew this wide open after my first love hung himself when I was 16 and the older I got and the more I learned from school and this field it really bothers me. But we have both been dealt our fair share of nonsense throughout the years and trying to get our lives in order but I say all the time I've told my family and friends and professors who basically took me under their wing that aside from any kind of trouble either of us have been in- you were never mean to me, never took advantage of me, it wasn't even about sex. I have been mentally 20 since I was a teenager but literally my whole entire life whenever I have needed you you have picked up the phone. We were never enemies and we never intentionally tried to hurt each other. But yes this is very delicate and I believe being allies would shut up a lot of people.

Participant	Delivered	Read	Played
+15707804567 Phil	5/28/2022 4:44:59 PM(UTC-4)		

Status: Sent

5/28/2022 4:44:39 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x240D90 (Table: message, chat, handle; Size: 29842752 bytes)

From: +15707804567 Phil
To: +15707804567 Brie Duborgel (owner)

Well, let's meet when you're ready. Sooner rather than later. I miss you anyway

Participant	Delivered	Read	Played
+15707804567 Brie Duborgel		5/29/2022 2:20:18 PM(UTC-4)	

Status: Read

5/28/2022 4:58:36 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x241802 (Table: message, handle, chat; Size: 28642752 bytes)

From: +15707804567 Phil
To: +15707804567 Brie Duborgel (owner)

How you feelin B

Participant	Delivered	Read	Played
+15707804567 Brie Duborgel		5/29/2022 2:20:18 PM(UTC-4)	

Status: Read

5/29/2022 12:11:52 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x24448F (Table: message, handle, chat; Size: 28642752 bytes)

From: +15707804567 Phil
To: +15707804567 Brie Duborgel (owner)

Hello Philippe I saw you inquired my assistance on my garbage phone aka my photo library with a number how may I assist thee on this lovely Saturday evening

Participant	Delivered	Read	Played
+15707804567 Phil	6/18/2022 6:53:17 PM(UTC-4)		

Status: Sent

6/18/2022 6:53:16 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x2A2F8D (Table: message, chat, handle; Size: 29642752 bytes)

From: [REDACTED] Brie Duborgel (owner)
To: +15707804567 Phil

That's what I meant

Participant	Delivered	Read	Played
+15707804567 Phil	8/5/2022 11:51:54 PM(UTC-4)		

Status: Sent

8/5/2022 11:51:54 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x3E3713 (Table: message, chat, handle; Size: 29842752 bytes)

From: [REDACTED] Brie Duborgel (owner)
To: +15707804567 Phil

Like I answered you at 9 something and was like whoops Imao

Participant	Delivered	Read	Played
+15707804567 Phil	8/5/2022 11:52:23 PM(UTC-4)		

Status: Sent

8/5/2022 11:52:22 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x3E34E4 (Table: message, chat, handle; Size: 29842752 bytes)

From: +15707804567 Phil
To: [REDACTED] Brie Duborgel (owner)

Listen my friend. Things are getting very nasty with the Scranton Times. I think you should know what's going on. I'd like to talk to you in person. I don't want you to be blindsided by any of this

Participant	Delivered	Read	Played
+1 [REDACTED] Brie Duborgel		8/5/2022 11:52:52 PM(UTC-4)	

Status: Read

8/5/2022 11:52:47 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x3E4F83 (Table: message, handle, chat; Size: 29842752 bytes)

From: +15707804567 Phil
To: [REDACTED] Brie Duborgel (owner)

Attachments:



Title: IMG_5489.mov
Size: 24166351
File name: ~/Library/SMS/Attachments/9c/12/541D0D34-BC44-4220-ADF4-5977C621157B/IMG_5489.mov
~/Library/SMS/Attachments/9c/12/541D0D34-BC44-4220-ADF4-5977C621157B/IMG_5489.mov

Participant	Delivered	Read	Played
[REDACTED] Brie		8/6/2022 3:03:15 PM(UTC-4)	

Status: Read

8/6/2022 11:12:15 AM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x3E4C08 (Table: message, handle, attachment, chat; Size: 29642752 bytes)
Brie's iPhone/mobile/Library/SMS/Attachments/9c/12/541D0D34-BC44-4220-ADF4-5977C621157B/IMG_5489.mov : (Size: 24166351 bytes)

From: +15707804567 Phil
To: [REDACTED] Brie Duborgel (owner)

I have your back, Brie. You should see what they are trying to do to me. It's absolutely awful.

Participant	Delivered	Read	Played
[REDACTED] Brie Duborgel		8/6/2022 3:03:15 PM(UTC-4)	

Status: Read

8/6/2022 12:09:05 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x3E499C (Table: message, handle, chat; Size: 29642752 bytes)

From: [REDACTED] Brie Duborgel (owner)
To: +15707804567 Phil

I wasn't not answering I have weird stuff going on right now too lol I was up til 4am doing work so I fell asleep without an alarm and here I am. I'm gonna try not to be grouchy cause I am but you don't have my back I have yours. This has nothing to do with me Phil. I'm sorry a reporter politically dragged you because of something that happened to us 12 years ago. I read the entire article recently and it was definitely quite excessive and very unnecessary to throw that in about me and you. It was basically an entire article just dragging you and your life and then casually throwing in "oh also he slept with a 15 year old girl" blah blah blah real estate stuff. It was dumb. It was just a shot at you and by association I am involved. But the thing is I never wanted it to happen. I'm gonna be 29 though and full blown in this field now and still blame my mom and my friends for what happened and no one can ever reason with me otherwise. But the problem for me is that I haven't been able to speak up then (which was my choice) or now to you or to anyone who can end this because the truth is (like I told my mom the other day) I don't remember if I was 15 or 16 when we slept together. I really don't. But I do know I've always been 10+ years past my age, you weren't my coach, you weren't an authority figure of mine, you didn't hurt me, and what happened back then (the arrest) and etc was just the beginning of what would continue to be us sleeping together on and off and whether we were fucking or talking or whatever we were always on good terms I've never genuinely hated you or you me. But my truth, and my story and the way I feel and the way we could end this is the complete opposite of everything you've been saying and building off of since it happened. Personally, to me, I think the times is annoying for bringing it up and it also pissed me off. I think people that still talk about it are annoying. The fact you chose to start doing political stuff has nothing to do with me but when those people specifically come at you and your only defense that you feel like you really have because of

ST 1481

all those years ago is to say I was some sick and crazy love struck obsessed teenager and because you were so loyal to don and it was so wrong but yet Joe strok was your best friend too (yeah mhm) you were there for me and because I was so broken and lost and sad and love struck I told on you and tried to get you arrested because I was just so in love. You've been telling that story for 12 years as I've had to sit back and never speak my side never even think about it and the only reason that that gets to happen is because I got up on the stand as a 16 year old and threw away the prosecution's entire case in front of a courtroom and my family and the entire town because I loved you and I never wanted it to happen either. My mom has tried telling me that some lawyer for the times asked her to come in and talk. You are always telling me you are ready to come out swinging and fight with them and go against them. Well I'm against all of it. My mom is a huge reason this happened in the first place and the fact she has the audacity to even think for a second about doing this again when I'm going into this field as an adult NOW because of what happened then. I screamed my lungs out at her probably last month. Then I gotta hear from you asking you to help me when you go on YouTube live for the last however many years and tell thousands and thousands of people that I'm a liar and it never happened and we have no affiliation. And the times chasing you and whatever beef you have with them and them trying to drag this back out again is also fucking annoying. The side you tell to the public is not the truth and I'm not saying that in a mean way I understand you basically had no other choice especially at the time. My mother has absolutely no fucking idea what happened between us and the times has absolutely no idea what happened between us. Phil I don't see you as my public enemy or some guy who hurt me or ruined my life or any of that. I see you as my ex boyfriend because that's what you are to me. What happened during the arrest is just what went public and made you look bad but all you've done is battle those claims and it was my fault to never speak up on my side. I plead the 9th then and basically always have throughout the rest of my life because I too have been cleaning up the mess that made and the mess that followed me with jay and drugs and hell it mean from 20-24 I was a broken sad depressed zombie because of all the shit that happened between us and between everything. I finally got my shit together and straightened things out internally and externally and then boom we link up as adults and fly across the country together and you pulled that shit with Amanda. And still I have never said one nasty thing about you publicly or anything that could ever hurt you. And I know the only reason that you have had to do the same to me is because of something that happened 12 years ago but we didn't just sleep together when I was 16. It was 17, 18, 19, 20, 21, 22. Phil we have always been in each others lives and never hated each other. I've just never said a word or argued about it or cared because the public story you tell isn't true and the story the times published then and now also isn't true. It's all untrue. There was no scandal in my eyes. You weren't some gross old man. You were never mean to me ever. I hear shit about don and all these ex girlfriends and shit that happened and my jaw drops. Yeah sure I think you lie but we went through the biggest thing ever and you have never raised your voice at me and we have basically always been friends. sleeping together or not sleeping together we've always been cool. But to me and to you too it wasn't a scandal. I was going through the worst time of my life the most traumatic thing I've ever experienced (still) and you weren't some scandal to me or some cool older guy I thought was so cool and you weren't some creepy coach exercising authority and preying on teenagers. We genuinely cared about each other and you were my boyfriend. except you were engaged. We didn't break up we were legally pulled apart before we ever figured anything out and neither of us had a say. Well I did and I chose to protect you and it's because you never hurt me ever. I mean I don't even know if you remember this but it was years after everything happened and I was with jay still and in a really bad place and you and I met up in a hotel room and because I didn't look good and wasn't myself and was telling you about jay you didn't even touch me. I don't even think we kissed we sat on a bed and you were almost in tears begging me to please get my shit together and please get away from jay. Neither of us were in trouble. I was in my early 20s at that point but that's my point this goes so much deeper than what it was made out to be. I mean we genuinely loved each other but back then now and probably always it doesn't matter how you feel or what you want you only care about the story you tell and your public image and you much rather have people write articles about you and drag you and lie about you and make you look like some sicko instead of ever bending or changing your public story that you told all those years ago even if it's still making you look bad. You'd literally rather than never remotely slightly go back on anything you've ever said. I'm legit in school for what I'm in school for to protect myself against this shit and boring sad lonely people from Scanton pa who have nothing better to do than to talk about a guy and a girl having sex literally almost 15 years ago I mean it's so fucking pathetic and obnoxious to me now. Phil if we can come to an amicable agreement that has nothing to do with my schooling or you thinking whatever of my family or Chris Kelly or any of it. If you and I can come to an amicable agreement that YOU stop dragging me publicly and defending yourself and with defending yourself comes making me look like the fucking asshole. If you can agree to stop letting these bored ass low life's get under your skin and get a rise out of you and shut your big opinionated mouth for 10 minutes and stop giving people ammo to shoot back at you. I can and promise and will make sure that when all of this stops that you never have a reason to defend yourself ever again because I will make sure that the times leaves you alone. leaves me alone. my family alone and my family and friends leaves you the fuck alone. What do you think I've been doing huh???? Listen our personal shit aside I don't care and I know you don't either but publicly we are still tied and people are still bored and jerking off to our sex life from 15 years ago and it's honestly so weird and overbearing and fucking obnoxious to me and I can't hear about it anymore. No Amanda. No political tube. No lives. Nothing. You and I have to come to some kind of terms and all I've ever wanted from you is to please stop calling me a liar and making me look like an asshole when it's not true and all I've ever done is try to protect myself and you by association. How's that???

Participant	Delivered	Read	Played
616707804607 Phil	6/6/2022 4:24:24 PM (UTC-4)		

Status: Sent

ST 1482

8/6/2022 4:24:29 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x3E0F6D (Table: message, chat, handle; Size: 28642752 bytes)

From: +15707804567 Phil
To: +1 [REDACTED] Brie Duborgel (owner)

Let's meet and talk. I think we're mostly on the same page.

Participant	Delivered	Read	Played
+1 [REDACTED] Brie Duborgel		8/6/2022 5:56:09 PM(UTC-4)	

Status: Read

8/6/2022 5:55:25 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x3EAF83 (Table: message, handle, chat; Size: 28642752 bytes)

From: +15707804567 Phil
To: +1 [REDACTED] Brie Duborgel (owner)

Participant	Delivered	Read	Played
+1 [REDACTED] Brie Duborgel		8/18/2022 2 1:44:25 PM(UTC-4)	

Status: Read

8/18/2022 12:01:21 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x5B788E (Table: message, handle, chat; Size: 28642752 bytes)

From: +15707804567 Phil
To: +1 [REDACTED] Brie Duborgel (owner)

We have to meet and talk, mi amigo.

Participant	Delivered	Read	Played
+1 [REDACTED] Brie Duborgel		8/18/2022 2 1:44:25 PM(UTC-4)	

Status: Read

8/18/2022 12:03:27 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x5B76A8 (Table: message, handle, chat; Size: 28642752 bytes)

From: +15707804567 Phil
To: +15707804567 Phil
Laughed at "YES"

Participant	Delivered	Read	Played
+15707804567 Phil	8/18/2022 2:42:31 PM(UTC-4)		

Status: Sent

8/18/2022 2:42:31 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x5DAF4C (Table: message, chat, handle; Size: 29642752 bytes)

From: +15707804567 Phil
To: +15707804567 Phil
Irregardless, we need to meet and speak. You need to know some stuff that you aren't aware of

Participant	Delivered	Read	Played
+15707804567 Phil		8/18/2022 2:52:51 PM(UTC-4)	

Status: Read

8/18/2022 2:43:44 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x5DA7A3 (Table: message, handle, chat; Size: 29642752 bytes)

From: +15707804567 Phil
To: +15707804567 Phil
Laughed at "Irregardless, we need to meet and speak. You need to know some stuff that you aren't aware of"

Participant	Delivered	Read	Played
+15707804567 Phil	8/18/2022 2:53:12 PM(UTC-4)		

Status: Sent

8/18/2022 2:53:11 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x5E0613 (Table: message, chat, handle; Size: 29642752 bytes)

From: [REDACTED] Brie Duborgel (owner)
To: +15707804567 Phil

You would say that.

Participant	Delivered	Read	Played
+15707804567 Phil	8/18/2022 2:53:18 PM(UTC-4)		

Status: Sent

8/18/2022 2:53:18 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x5E032E (Table: message, chat, handle; Size: 29642752 bytes)

From: [REDACTED] Brie Duborgel (owner)
To: +15707804567 Phil

Irregardless. Looks like we're both smack dab in the middle of quite the legal tornado.

Participant	Delivered	Read	Played
+15707804567 Phil	8/18/2022 2:53:37 PM(UTC-4)		

Status: Sent

8/18/2022 2:53:37 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x5E1F8D (Table: message, chat, handle; Size: 29642752 bytes)

From: +15707804567 Phil
To: [REDACTED] Brie Duborgel (owner)

Not really. We have to talk in person

Participant	Delivered	Read	Played
+1 [REDACTED] Brie Duborgel	8/18/2022 2:54:52 PM(UTC-4)		

Status: Read

8/18/2022 2:54:51 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x5E1CCB (Table: message, handle, chat; Size: 29642752 bytes)

From: +15707804567 Phil
To: +15707804567 Phil

Listen I already told you. Aside from your beef and tugging of the heart strings argument you have with Chris Kelly or any prior trouble aside from me that is irregardless. But I will make sure that no one ever calls you a pedophile again and our public beef can be squashed and Linda leaves us the fuck alone

Participant	Delivered	Read	Played
+15707804567 Phil	8/18/2022 2:57:12 PM(UTC-4)		

Status: Sent

8/18/2022 2:57:03 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x5E1570 (Table: message, chat, handle; Size: 20842752 bytes)

From: +15707804567 Phil
To: +15707804567 Phil

It's not that Brie. It's more than that. We have to meet because there's stuff you don't know

Participant	Delivered	Read	Played
+15707804567 Phil		8/18/2022 3:16:48 PM(UTC-4)	

Status: Read

8/18/2022 3:08:12 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x5E580C (Table: message, handle, chat; Size: 20842752 bytes)

From: +15707804567 Phil
To: +15707804567 Phil

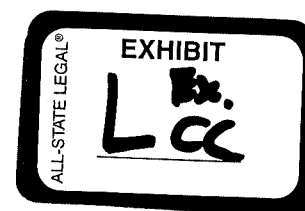
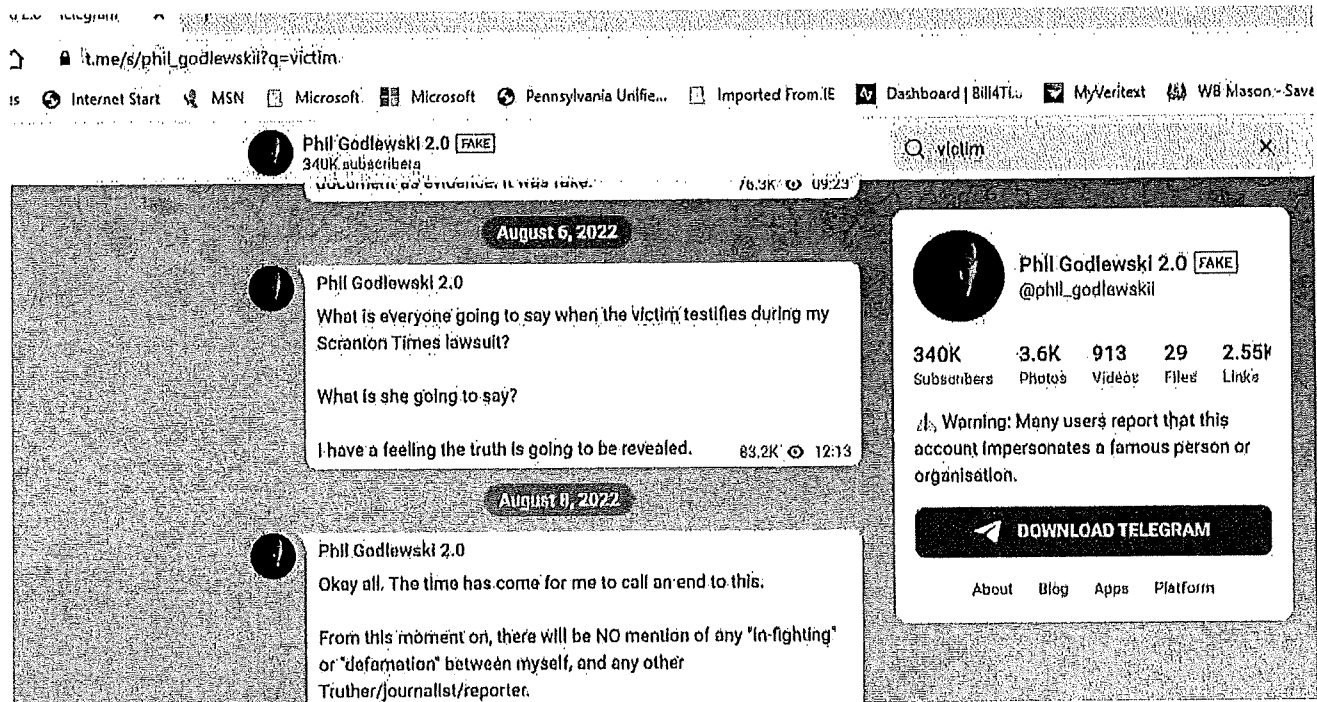
Hang on

Participant	Delivered	Read	Played
+15707804567 Phil	8/18/2022 3:16:57 PM(UTC-4)		


Status: Sent

8/18/2022 3:16:56 PM(UTC-4)

Source Extraction:
Logical (1), Advanced Logical (1)
Source Info:
Brie's iPhone/mobile/Library/SMS/sms.db : 0x5EAB84 (Table: message, chat, handle; Size: 20842752 bytes)



ST 1847




Phil Godlewski 3.0 FAKE
286K subscribers

Not sure if he is guilty, but wanted to post it here.

"Mr. Godlewski stands by the allegations in the defamation complaint against the Soranton Times. He has recently become aware of some troubling and coercive background that may have given rise to the victim's sudden and improvident affidavit. Any sexual relationship occurred when the couple were of age, and this has never been denied. We expect to have more news on this issue shortly. In the meantime, the litigation will continue."

Tim Kolman for KOLMAN LAWPC. 91.9K 19:05

December 6, 2022




Phil Godlewski 3.0
Question:

Would you take a chance at defaming someone, publicly, if that someone had \$500,000 in available cash to spend on legal fees to sue you into oblivion?

Personally, I wouldn't take that chance 🤔


#gotirno 81.9K 14:46



Phil Godlewski 3.0 FAKE
@phil_godlewski

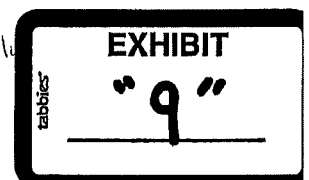
286K 4.01K 1.05K 35 2.74
Subscribers Photos Videos Files Links

⚠️ Warning: Many users report that this account impersonates a famous person or organization.



About Blog Apps Platform

Previous



ST 3540

To: Brle Duborgel



Tue, Nov 20 at 6:47 PM

You okay?

As okay as I can be :/

You?

Everything is going to be fine

I promise

I hope so. I just want what I earned and deserve. You have no idea what a terrible fuckin year I've had

I do know

Only bits and pieces. Maybe one day I'll be able to explain to you

Wed, Nov 30 at 10:00 AM

11 or 1130

Anywhere in there

Kk Shakespeare

I shall

Wed, Nov 30 at 12:35 PM

The Daily Beast
thedailybeast.com



Wed, Nov 30 at 8:46 PM

7 Photos

folks. May God continue to bless, guide and protect you and your family

Like Reply Hide

3 0 8



Barbara Clinton

You are a good man, Phil. May your generosity be returned a thousand times over. Love how you are showing us the way forward.

Like Reply Hide



Steven Head
Pede Phil

<https://ezabel.com/qanon-leader-accused-to-be-intel-officials-still-on>



Signal strength and battery level indicators



EXHIBIT

"10"

ST 3747

To: Brie Duborgel



Steven Head
Pedo Phil

<https://thezoo.com/anon-leader-accidentally-puts-self-as-statutory-rapist-10a9836769/amp>
See Translation



QAnon Leader Accidentally Puts
Self As Statutory Rapist in Lawsuit...

2h · Like · Reply · Hide



Nancy Olson

God bless you 🙏🙏🙏

2h · Like · Good · Hide



Welp- you finally got everything you've ever wanted. You're famous.

I'm not lying but I'm not gonna let anybody call you a child predator either

I am shook to my fucking core

No one asked you to lie, Brie

You were intimidated and extorted for your affidavit. Those are facts.

I didn't say that

No I wasn't I called and asked for help and didn't get it

But you proceeded on the promise of help

Which is extortion

Yeah to stand up against you PROVATELY

but now this is Rolling Stones public

You know I'm right. We can talk more about it but at the end of the day, the above comments are the rest of my life

As you currently thank your fans

Phil I'm right here with ya

No one else is on this boat besides us

So here we go I guess

So help me fix it, for both of us



thezoo



To: Brie Duborgel

I knew in my stomach today something was gonna happen. I felt it coming. Why do you think I told you I was gonna get creative

Creative doesn't get rid of a sworn statement. Creative would have been before the statement

This is gonna be international news if it isn't already

I'm gonna tell MY truth but really drive home u don't like kids and it makes me wanna split at whoever say that

Not gonna matter brie

I gotta go live now

You don't know how persuasive I can be. No more times telling my story or you telling my story I am telling MY story

Kk go get 'em Robin Hood

If you say we had sex before you were 16, it'll have an even worse affect. If that's something you feel you have to say, I'd rather you do nothing at all

If I hide in ur shadow for another living breathing second I will quite literally turn invisible. I would have rathered you dropped this suit or have never filed this in the first place or made my story and our story as ducking public as you have. Now I have no other choice. This quite literally is about to make international news

I can't believe any of this right now. I'm gonna have reporters at my house

I warned you. It'll get worse

Way worse

Wed, Nov 30 at 11:57 PM

I'm glad you're following and Amanda are more important than me and I hope you had fun threatening me tonight. I'm actually afraid. You're a fucking jack ass

You brought this attention to both of us and now you're sad? When really I've been the one protecting both of us. You've been friends with Amanda for what a year? No. You only know each other through me and I dk what the fuck you got her involved in but YOU are MY friend no you're my ex and SHE is MY friend. This is all a fuckin joke. But yeah threaten me with outting my mental health. Yeah anyone would be stressed carrying around the weight of both of our problems. You're un fucking real.

I've been the one who's had your back all these years ME. I've been loyal to you- ME. you've known Amanda a year. You haven't even known your fiancé that long. You've been a constant in my life for 14 years literally these people don't even fucking know you. But if you wanna have a public smear campaign and absolutely destroy each other then fine that's what we'll do. If this is what you want.

To: Brle Duborgel



I've been the one who's had your back all these years ME. I've been loyal to you- ME. you've known Amanda a year. You haven't even known your fiancé that long. You've been a constant in my life for 14 years literally these people don't even fucking know you. But if you wanna have a public smear campaign and absolutely destroy each other then fine that's what we'll do. If this is what you want.

I honestly have no idea what you're talking about

K

I figured as much

I'm scared but enjoy ur fame

Brle my lilo was about giving to people in need. I never once even mentioned you

Omg

I just watched it

I'm not sure you did lol



Phil's \$26k Christmas Giveaway
tumblr.com

Is that you dressed as Santa?

You most likely watched something old. Because you weren't mentioned at all

No, it's me photoshopped as Santa

Why is Santa blonde?

Gold

Evidently you just realized that you were watching an old video. What was the date?

Just curious



YouTube



To: Brie Duborgel

I'm sleeping up mom moms so I don't have reporters crawling through my window

November 26

Excellence avoidance of the question

Classic

We don't even hate each other this is stupid

You're stupid

It all goes away Brie, once the affidavit goes away. No one will ever mention us in a negative way ever again. Ever.

It's the only way and you know it.

I'm going to bed

Call me tomorrow

No it's not I literally need a lawyer and I'm still being kind me and my big nice stupid heart doesn't want to hurt you even though you don't care about me I'm still sitting over here like hMmMmmM hOw dO I mAkE SuRe NoOne HurTs pHIS fEeLInGs

K

You'll have my lawyer

Enite

Goodnight you stupid dick

Amazing
Reply Send

theeaplesays_111
to much is given, much is expected. What a great idea to help people. Thanks.
Reply Send

passlthoai2019 174
I tried loading my comment and ended on trouble but failed to verify my email after trying for 30 minutes on trouble. I left my response on IG and tagged you. I hope you find it.
Reply Send

rock2311 74
passlthoai2019 Are you aware that he is a child rapist?
Reply Send

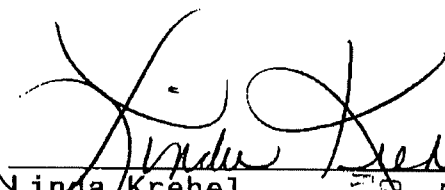
jumpach 136
Reply Send
chomocysell 114
That's a wonderful gift to so many people to see people do this as I pay it forward a lot
Reply Send

mayekatt
Pearce 110
rock2311 74
ag chomocysell he's a child rapist.
Reply Send

Rehman 504

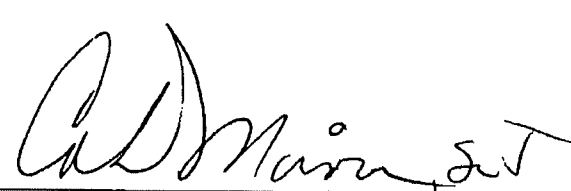
C E R T I F I C A T E

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me of the above cause and that this copy is a correct transcript of the same to the best of my ability.


Linda Krehel
Official Court Reporter

MAURI B. KELLY
CLERK OF JUDICIAL
RECORDS OF FAHNEY
COURT DIVISION
2023 FEB 17 P 1:38
LACIAVANIA COUNTY

The foregoing record of the proceedings on the above cause is hereby approved and directed to be filed.


Date 2/16/23

HONORABLE CARMEN D. MINORA

(The foregoing certificate of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or supervision of the certifying reporter.)